

ARKANSAS SUPREME COURT

PROCEEDINGS OF MARCH 30, 2017

KAREN R. BAKER, JUSTICE

[CR-16-719](#). Daniel Curtis Johnson v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed.

[CR-16-720](#). Kenneth Hinton v. State of Arkansas, from Lincoln County Circuit Court. Affirmed. Hart, J., concurs in part and dissents in part.

COURTNEY HUDSON GOODSON, JUSTICE

[CV-16-304](#). Arkansas State Police Retirement System, Kirk Bradshaw, John W. Allison, Brant Tosh, Blake Wilson, Donnie Underwood, Joe Miles, and Dr. John Shelnett, in Their Official Capacities as Members of the Board of Trustees of the Arkansas State Police Retirement System v. Glenn Sligh, Myron Hall, Ricky Briggs, Loyd Franklin, Mack Thompson, Cleve Barfield, and Others Similarly Situated, from Pulaski County Circuit Court, Seventeenth Division. Reversed and dismissed on direct appeal; affirmed on cross-appeal; appellees' motion to strike denied.

PER CURIAM OPINION

[CV-16-887](#). Richard Alan Davis v. Wendy Kelley, Director, Arkansas Department of Correction, from Lee County Circuit Court. Affirmed.

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PER CURIAM ORDERS

REHEARING DENIED: Petition for rehearing was denied today in the following case.

CV-16-673. Malik (Saba) Ka Makkali v. State of Arkansas, from Jefferson County Circuit Court.

REVIEW MOOT: Petition for review was mooted today in the following case.

CR-16-939. Ghedeon Trif v. State of Arkansas, from Pulaski County Circuit Court, Ninth Division.

REVIEWS DENIED: Petitions for review were denied today in the following cases.

CR-17-111. James Bynum v. State of Arkansas, from Scott County Circuit Court.

CV-16-894. Janann Johnson v. Windstream Communications, Inc., from Pulaski County Circuit Court, Sixth Division. Hart, J., would grant. Kemp, C.J., not participating.

CV-16-919. Bobby Blackwell and Blackwell Moving & Delivery, LLC v. Brown's Moving and Storage, Inc. d/b/a Blue Truck, from Pulaski County Circuit Court, Ninth Division. Baker, Hart, and Wynne, JJ., would grant.

CV-16-1138. Robert Stewart v. Gary Michaelis, Individually and d/b/a Racer AG Service, from St. Francis County Circuit Court.

CV-17-113. Chris Bean and Jennifer Bean v. Arkansas Department of Human Services and Minor Children, from Benton County Circuit Court. Hart, J., would grant.

CR-16-588. Larry Lavell Jones v. State of Arkansas, from Garland County Circuit Court. Motion of Gregg A. Knutson to withdraw as appellate counsel is passed until case is submitted.

CR-16-939. Ghedeon Trif v. State of Arkansas, from Pulaski County Circuit Court, Ninth Division. Appellant's pro se motion to supplement petition for review is moot.

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CR-16-939. Ghedeon Trif v. State of Arkansas, from Pulaski County Circuit Court, Ninth Division. Appellant's pro se motion to withdraw petition for review is granted.

CR-16-1062. Detric D. Wilson v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion for leave to supplement the addendum is granted.

CR-17-142. Cole Allan Casey v. Benton County Circuit Court and Honorable Brad Karren, Circuit Judge, from Benton County Circuit Court. Petitioner's petition for writ of certiorari/habeas corpus is dismissed.

CR-17-142. Cole Allan Casey v. Benton County Circuit Court and Honorable Brad Karren, Circuit Judge, from Benton County Circuit Court. Respondents' motion to supplement the record is granted.

CV-15-898. Clyde N. Booth and Frank W. Booth v. Candice A. Franks, Bank Commissioner of the State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Certification to the Supreme Court is granted. Goodson and Wood, JJ., would deny.

CV-16-127. Gary Dye and Linda Dye, Individually and on Behalf of Persons Similarly Situated v. Diamante, A Private Membership Golf Club, LLC, from Saline County Circuit Court. Appellants' motion for reconsideration is denied. Wood, J., not participating.

CV-16-211. M&M Environmental Oil Services, LLC, Samuel McFadin, McFadin Global, Inc., and McFadin Auto Sales, Inc. v. Omega Capital Fund I, L.P., from Faulkner County Circuit Court. Appellants' and appellee's status reports are accepted. Appeal dismissed as moot.

CV-16-899. The W L Harper Company and American Zurich Insurance Company v. George T. Woods, from the Arkansas Workers' Compensation Commission. Appellants' motion to remand is granted. Appellants' petition for review is held in abeyance. (Proceedings of March 16, 2017)

CV-16-1011. Tony A. Hickman v. Wendy Kelley, Director, Arkansas Department of Correction, from Lee County Circuit Court. Petitioner's pro se motion to file belated motion for reconsideration is denied.

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CV-16-1011. Tony A. Hickman v. Wendy Kelley, Director, Arkansas Department of Correction, from Lee County Circuit Court. Petitioner’s pro se motion for reconsideration is denied.

CV-16-1048. Barry Stewart v. Wendy Kelley, Director, Arkansas Department of Correction, from Lee County Circuit Court. Appellant’s pro se motion for reconsideration is denied.

CV-17-87. Vernon Dutton, Shirley Hinton, Rebsamen Insurance, Inc. d/b/a Rebsamen Insurance; and Regions Insurance Services, Inc. v. Circuit Court of Pulaski County, from Pulaski County Circuit Court, Fifth Division. Petitioners’ petition for writ of prohibition or certiorari is denied.

CV-17-158. Kubota Tractor Corporation and Kubota Manufacturing of America Corporation v. The Circuit Court of Carroll County, Arkansas, from Carroll County Circuit Court, Western District. Petitioners’ petition for writ of certiorari is denied. Womack, J., would grant.

CV-17-168. The Board of Trustees of the University of Arkansas v. Matthew Andrews, from Phillips County Circuit Court. Appellant’s unopposed motion for substitution of parties and request for judicial notice is granted. Goodson, J., not participating.

CV-17-184. Wynne-Ark., Inc. d/b/a Kelley’s Restaurant v. Richard Baughn Construction, from Cross County Circuit Court. Petitioner’s petition for interlocutory appeal is granted.

CV-17-184. Wynne-Ark., Inc. d/b/a Kelley’s Restaurant v. Richard Baughn Construction, from Cross County Circuit Court. Petitioner’s motion to file under seal is granted.

[CR-10-6](#). Danny Henington v. State of Arkansas, from Benton County Circuit Court. Petitioner’s pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis is denied. See **per curiam** this date.

CR-16-537. Khalin Collins v. State of Arkansas, from Columbia County Circuit Court. Appellant’s pro se motion to file belated brief is granted; appellant’s brief filed on the date of this per curiam order.

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CR-16-1101. Bruce Wayne Brown v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion for extension of brief time is granted; brief date extended thirty days from the date of this per curiam order (April 29, 2017).

CR-16-1113. Broderick Don Scott v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion seeking leave to file a reply brief is moot pursuant to Arkansas Supreme Court Rule 4-7(d).

CV-16-1016. Howard T. Wood v. State of Arkansas, Arkansas Sentencing Commission, and Governor Asa Hutchinson, from Pulaski County Circuit Court, Sixth Division. Appellant's pro se motion to file belated brief is granted; appellant's brief filed on the date of this per curiam order.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-16-151. Gregory L. Pelts v. Shelly A. Pelts, from Lonoke County Circuit Court.

PETITIONS FOR REVIEW:

CR-17-84. Dalvin Haley v. State of Arkansas, from Faulkner County Circuit Court.

CR-17-135. Wesley Gene Holland v. State of Arkansas, from Cleveland County Circuit Court.

CR-17-195. Randy Lee Copeland v. State of Arkansas, from Garland County Circuit Court.

CV-17-9. Pamela Dawn Reagan v. Julie Dodson and Dennis Dodson, from Howard County Circuit Court.

CV-17-179. Alyssa Ekberg and Jerry Ashmore v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eleventh Division.

CR-16-398. State of Arkansas v. Mario D. Thompson, from Washington County Circuit Court. Appellee's motion to recall the mandate and motion for belated petition for rehearing.

CR-16-427. Derrick Gerade Lambert v. State of Arkansas, from Drew County Circuit Court. Appellee's motion to file a belated response to appellant's petition for rehearing.

CR-16-557. Juan Perez v. State of Arkansas, from Miller County Circuit Court. Appellant's supplemental motion to dismiss appeal as moot.

CR-16-849. Frederick Pennington, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion to consolidate related appeals.

CR-16-949. Eric Darnell Thrower v. State of Arkansas, from Ouachita County Circuit Court. Appellant's motion to require correction or to supplement the record on appeal.

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MOTIONS SUBMITTED

CR-17-94. State of Arkansas v. Benjamin Ward Ledwell, from Hot Spring County Circuit Court. Entry of appearance of John Wesley Hall as additional counsel for appellee.

CR-17-143. Frederick Pennington, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion to consolidate related appeals.

CR-17-144. Frederick Pennington, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion to consolidate related appeals.

CV-16-10. Erin Potts v. Timothy D. Potts, from Sebastian County Circuit Court, Fort Smith District. Motion of Brett D. Watson for attorney's fees.

CV-16-183. Cardinal Health v. Beth's Bail Bonds, Inc., from Pulaski County Circuit Court, Sixth Division. Appellant's motion to release supersedeas bond.

CV-16-946. Sherry Miesner v. Estate of Joyce Edna Priest Allred, Deceased; Relyance Bank; Belinda Allred; and Janice Herring, from Cleveland County Circuit Court. Appellant's motion to transfer to the Arkansas Supreme Court.

CR-91-206. Steven Laron McArthur v. State of Arkansas, from Lonoke County Circuit Court. Petitioner's pro se second petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.

CR-95-985. Greg Hogue v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Petitioner's pro se second petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis and to proceed in forma pauperis.

CR-96-270. Jessie E. Hill v. State of Arkansas, from Grant County Circuit Court. Petitioner's pro se second petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis; motion for writ of audita querela.

CR-11-898. Danny Franklin King v. State of Arkansas, from Hempstead County Circuit Court. Petitioner's pro se motion to recall mandate and reinvest jurisdiction in the trial court to consider a writ of error coram nobis.

CR-16-504. Jonathan William Thacker v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion to dismiss appeal.

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MOTIONS SUBMITTED

CR-17-55. Fred Lee Williams v. Honorable Sam Pope, Circuit Judge, from Drew County Circuit Court. Petitioner's pro se petition for writ of mandamus.

CR-17-56. Fred Lee Williams v. Honorable Sam Pope, Circuit Judge, from Drew County Circuit Court. Petitioner's pro se petition for writ of mandamus.

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CASES SUBMITTED

CR-16-125. Arthur L. Hicks v. State of Arkansas, from Arkansas County Circuit Court, Northern District.

CR-16-804. Heather Swain v. State of Arkansas, from Washington County Circuit Court.

CV-16-144. Marilyn Curry Troutman v. Ronald Troutman, from Washington County Circuit Court.