

ARKANSAS SUPREME COURT

PROCEEDINGS OF JUNE 8, 2017

JOHN DAN KEMP, CHIEF JUSTICE

[CR-16-413](#). Aaron Michael Lewis v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed on direct appeal; dismissed on cross-appeal. Hart, J., concurs.

[CV-16-755](#). Arkansas State Medical Board and Peggy Cryer, Individually and in Her Official Capacity v. Kristi Byers, from Pulaski County Circuit Court, Second Division. Affirmed in part; reversed in part and remanded with instructions.

KAREN R. BAKER, JUSTICE

[CV-16-1008](#). Tommy Martez Barber v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellee's motion to dismiss appeal granted; appellant's motion to proceed with a belated appeal treated as motion to file a belated brief and moot.

JOSEPHINE LINKER HART, JUSTICE

[CR-16-858](#). Brian F. Ward v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Reversed and remanded. Kemp, C.J., and Wood and Womack, JJ., dissent.

[CR-16-1062](#). Detric Deshun Wilson v. State of Arkansas, from Lonoke County Circuit Court. Affirmed.

ROBIN F. WYNNE, JUSTICE

[CR-16-831](#). Roosevelt Rashaun Coleman v. State of Arkansas, from Crittenden County Circuit Court. Affirmed in part; reversed and remanded in part.

[CV-16-600](#). City of Little Rock, Arkansas v. Circuit Court of Pulaski County, from Pulaski County Circuit Court, Sixth Division. Affirmed in part; dismissed in part. Kemp, C.J., and Baker, J., concur. Hart, J., dissents.

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PER CURIAM ORDERS

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

CR-81-82. Robert R. Heffernan a/k/a Robert Richard Heffernan v. State of Arkansas, from Saline County Circuit Court.

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

CV-17-302. June Bradshaw v. Fort Smith School District and Fort Smith Public Schools Board of Education, from Sebastian County Circuit Court, Fort Smith District. Hart, J., would grant.

CV-17-307. Derek Scott Hagar, Administrator of the Estate of Darren Scott Hagar, Deceased, and on Behalf of the Wrongful-Death Beneficiaries of Darren Scott Hagar v. Robert T. Shull, M.D., from Crittenden County Circuit Court. Hart, J., would grant. Kemp, C.J., not participating.

CV-17-331. Arkansas Department of Community Correction and Arkansas Insurance Department, Public Employee Claims Division v. Theresa Barclay, from the Arkansas Workers' Compensation Commission.

CR-17-404. Brandon E. Lacy v. State of Arkansas, from Benton County Circuit Court. Motion of Patrick J. Benca to be relieved as counsel of record for appellant and request for the appointment of counsel for appeal is granted.

CR-17-404. Brandon E. Lacy v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion to replace appointed counsel is moot.

CV-17-268. Brookshire Grocery Company v. Cleon Morgan, Sr., from the Arkansas Workers' Compensation Commission. Petition for review. Court of Appeals opinion vacated; case remanded; In Re Memorandum Opinions, 16 Ark. App. 301, 700 S.W.2d 63 (1985) overruled; Arkansas Supreme Court Rule 5-2(e) amended. See **per curiam** this date.

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CV-17-317. State of Arkansas; Arkansas Department of Correction; Asa Hutchinson, in His Official Capacity as Governor of the State of Arkansas; Wendy Kelley, in Her Official Capacity as Director of the Arkansas Department of Correction v. Hon. Alice Gray, Circuit Judge and McKesson Medical-Surgical, Inc., from Pulaski County Circuit Court, Twelfth Division. Petitioners' motion to dismiss emergency petition for immediate writ of mandamus, writ of certiorari, or superintending writ. Petition for writ is dismissed as moot; the stay of the circuit court's injunction remains in effect pending the separate appeal; and a briefing schedule for the appeal will issue when the appellants' lodge the full record.

CV-17-414. Welspun Pipes, Inc.; Welspun Tubular, LLC; Debashish Bhowmick; Saleem Sawar; and Martin Cain v. Pulaski County Circuit Court, Honorable Timothy Davis Fox, and Juan Pineda, from Pulaski County Circuit Court, Sixth Division. Petitioners' application for temporary relief is granted. Temporary stay issued.

CR-16-983. Douglas David True v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for extension of time to file reply brief is granted; tendered reply brief filed as of the date of this per curiam order.

CR-16-1101. Bruce Wayne Brown v. State of Arkansas, from Garland County Circuit Court. Appellant's second pro se motion for seven-day extension to file appeal brief is granted; tendered brief filed on the date of this per curiam order.

CV-16-907. Kenneth Ray Pitts v. Patrick S. Drummond, APN; William Benton, Health Services Administrator; Roy Griffins, Deputy Director, Health and Correctional Program; and Arkansas Department of Correction, from Pulaski County Circuit Court, Sixth Division. Appellant's pro se motion for pro se brief and to file amended pleadings in pro se appeal of denial of petition for leave to proceed in forma pauperis. Pro se motion treated as pro se motion to submit motion as pro se brief and to amend complaint previously submitted in circuit court and denied. Remanded to the circuit court to enter a supplemental order setting forth the court's factual findings that were the basis for the order denying in forma pauperis status in accord with Arkansas Rules of Civil Procedure 72 (2016); remand, including any supplemental record, returnable to this court within thirty days from the date of this per curiam order; upon return of the remand, a new briefing schedule will be set for the appeal.

In Re Updated List of Attorneys Suspended for Failure to Pay 2017 Annual Attorney-License Fee. See [per curiam](#) this date.

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In Re Rules of Court Creating a Committee on the Unauthorized Practice of Law Regarding Immunity of Committee Members. See [per curiam](#) this date.