

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 28, 2017

JOHN DAN KEMP, CHIEF JUSTICE

[CR-17-149](#). Brad S. Hortenberry v. State of Arkansas, from Greene County Circuit Court. Affirmed.

KAREN R. BAKER, JUSTICE

[CR-16-125](#). Arthur L. Hicks, Jr. v. State of Arkansas, from Arkansas County Circuit Court, Northern Division. Affirmed. Hart, J., concurs.

ROBIN F. WYNNE, JUSTICE

[CR-17-196](#). Alexander Pokatilov v. State of Arkansas, from Lonoke County Circuit Court. Affirmed; court of appeals opinion vacated.

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PER CURIAM ORDERS

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

D-13-150. Stark Ligon, as Executive Director, Arkansas Supreme Court Committee on Professional Conduct v. John Skylar “Sky” Tapp, Arkansas Bar ID # 76123, an Original Action.

CR-92-1385. Don William Davis v. State of Arkansas, from Benton County Circuit Court. Appellant’s pro se motion to dismiss appeal is denied.

CR-92-1385. Don William Davis v. State of Arkansas, from Benton County Circuit Court. Appellant’s pro se motion to dismiss federal defenders is denied.

CR-92-1385. Don William Davis v. State of Arkansas, from Benton County Circuit Court. Appellee’s unopposed motion to stay the briefing schedule is moot.

CR-00-528. Don William Davis v. State of Arkansas, from Benton County Circuit Court. Appellant’s pro se motion to dismiss appeal is denied.

CR-00-528. Don William Davis v. State of Arkansas, from Benton County Circuit Court. Appellant’s pro se motion to dismiss federal defenders is denied.

CR-00-528. Don William Davis v. State of Arkansas, from Benton County Circuit Court. Appellee’s unopposed motion to stay the briefing schedule is moot.

CR-16-949. Eric Darnell Thrower v. State of Arkansas, from Ouachita County Circuit Court. Appellant’s motion and brief for retrial based on deficient record is denied without prejudice. Kemp, C.J., and Hart, J., would grant.

CR-17-89. Mauricio Alejandro Torres v. State of Arkansas, from Benton County Circuit Court. Appellant’s third amended motion for extension of time to comply with writ of certiorari is granted.

CR-17-654. Kenneth Reams v. State of Arkansas, from Jefferson County Circuit Court. Motion of Jin Hee Lee to appear pro hac vice is granted; waiver of the pro hac vice fee is denied. Hart, J., would deny motion for pro hac vice.

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CR-17-654. Kenneth Reams v. State of Arkansas, from Jefferson County Circuit Court. Motion of Ajmel Quereshi to appear pro hac vice is granted; waiver of the pro hac vice fee is denied. Hart, J., would deny motion for pro hac vice.

CR-17-654. Kenneth Reams v. State of Arkansas, from Jefferson County Circuit Court. Motion of Corrine A. Irish to appear pro hac vice is granted; waiver of the pro hac vice fee is denied. Hart, J., would deny motion for pro hac vice.

CR-17-654. Kenneth Reams v. State of Arkansas, from Jefferson County Circuit Court. Motion of George H. Kendall to appear pro hac vice is granted; waiver of the pro hac vice fee is denied. Hart, J., would deny motion for pro hac vice.

CR-17-654. Kenneth Reams v. State of Arkansas, from Jefferson County Circuit Court. Motion of Christopher Kemmitt to appear pro hac vice is granted; waiver of the pro hac vice fee is denied. Hart, J., would deny motion for pro hac vice.

CR-17-687. Jeffery Allen Wolfe v. State of Arkansas, from Yell County Circuit Court, Southern District. Appellant's motion for belated appeal is moot. Wood and Womack, JJ., would grant.

CR-17-687. Jeffery Allen Wolfe v. State of Arkansas, from Yell County Circuit Court, Southern District. Appellant's amended motion for belated appeal is granted. Baker, J., would send a copy of the order to the Committee on Professional Conduct.

CR-17-687. Jeffery Allen Wolfe v. State of Arkansas, from Yell County Circuit Court, Southern District. Motion of Christopher Tolleson to be relieved as counsel, for substitution of counsel, and to stay briefing schedule is granted. Hart, J., would deny.

CR-17-687. Jeffery Allen Wolfe v. State of Arkansas, from Yell County Circuit Court, Southern District. Motion of Gregg E. Parish to appoint and substitute counsel on behalf of appellant is granted. Eric C. Moore appointed as counsel for appellant.

CV-17-16. Theresa Marshall, Herman Marshall, and Earnest Marshall v. Nathaniel L. Marshall, Personal Representative of the Estate of Willie James Marshall, Deceased, from Pulaski County Circuit Court, Fourteenth Division. Appellant's pro se motion for extension of time to complete the record is denied. Baker, J., would grant.

CV-17-240. Larry Walther, Director, Arkansas Department of Finance and Administration v. Flis Enterprises, Inc., from Pulaski County Circuit Court, Third Division. Appellant's motion to reassign case to the Supreme Court is granted. Kemp, C.J., not participating.

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CV-17-717. W.N. v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Fifth Division. Appellant’s motion to seal is granted.

CV-17-719. W.N. v. Honorable Wendell Griffen, Circuit Judge, from Pulaski County Circuit Court, Fifth Division. Petitioner’s petition for writ of prohibition or, in the alternative, for writ of certiorari. Petition for writ of prohibition is denied; writ of certiorari is granted. Kemp, C.J., and Goodson and Wynne, JJ., would deny.

CV-17-719. W.N. v. Honorable Wendell Griffen, Circuit Judge, from Pulaski County Circuit Court, Fifth Division. Petitioner’s motion to seal is granted.

CV-17-770. Rod and Lisa Choate v. Circuit Court of Washington County, Arkansas, from Washington County Circuit Court. Petitioners’ joint emergency petition for a writ of certiorari, writ of prohibition, and/or writ of mandamus is denied. Baker and Hart, JJ., would grant the petition for writ of certiorari. (Proceedings of September 22, 2017)

CV-17-788. Arkansas Department of Correction and Wendy Kelley, Director, Arkansas Department of Correction v. Steven Shults, from Pulaski County Circuit Court, Seventeenth Division. Appellants’ emergency motion for immediate stay is granted. Kemp, C.J., would deny. (Proceedings of September 27, 2017)

CR-17-548. Pernell Carter v. Honorable Ralph Wilson, Jr., Circuit Judge, from Crittenden County Circuit Court. Petitioner’s pro se petition for writ of mandamus is moot.

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MOTIONS SUBMITTED

CR-98-657. Bruce Earl Ward v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion of April R. Golden for entry of appearance on behalf of appellant.

CR-16-432. Nicholas R. Holloway v. State of Arkansas, from Lonoke County Circuit Court. Motion of Kent G. Holt, Assistant Attorney General, to substitute counsel of record for appellee.

CR-16-588. Larry Lavell Jones v. State of Arkansas, from Garland County Circuit Court. Motion of Jason Michael Johnson, Assistant Attorney General, to substitute counsel of record for appellee.

CR-17-654. Kenneth Reams v. State of Arkansas, from Jefferson County Circuit Court. Appellant's unopposed motion to expand page limit for opening brief.

CV-17-505. Willie James Noble v. State of Arkansas, from Lee County Circuit Court. Motion of Brad Newman, Assistant Attorney General, to substitute counsel of record for appellee.

CV-17-653. Jim Harris, Individually and In His Official Capacity, and Dennis Milligan, Individually and In His Official Capacity as Treasurer of the State of Arkansas v. David Singer, from Pulaski County Circuit Court, Second Division. Appellee's motion for leave to file response to motion to stay out of time.

CV-17-749. Bobby Bolden v. Arkansas Department of Human Services and Minor Children, from Pope County Circuit Court. Appellant's petition to proceed in forma pauperis.

CV-17-749. Bobby Bolden v. Arkansas Department of Human Services and Minor Children, from Pope County Circuit Court. Appellant's motion for belated appeal.

CR-16-574. John Richard Lukach v. State of Arkansas, from Hot Spring County Circuit Court. Petitioner's pro se motions to file overlength and belated motion for reconsideration and pro se motion for appointment of counsel.

CR-17-167. Rickie Green v. State of Arkansas, from Lonoke County Circuit Court. Appellant's pro se motion for appointment of counsel.

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MOTIONS SUBMITTED

CR-17-450. Ali Martin Matar, Jr. v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion for belated appeal and rule on clerk.

CR-17-481. Roderick R. Williams v. Honorable Steven Porch, Circuit Judge, from Desha County Circuit Court, Arkansas City District. Petitioner's pro se petition for writ of mandamus.

CV-16-1017. Jeremy S. Kennedy v. John Felts, Chairman, Arkansas Parole Board, and Arkansas Parole Board, from Pulaski County Circuit Court, Sixth Division. Appellant's pro se motion for extension of time to file brief.

CV-17-235. Reginald Early v. Keith Crockett, Clayborn Carroll, Roberta Lewis, and Lamon Mayo, from Jefferson County Circuit Court. Petitioner's pro se motion for an extension of time to file brief.

CV-17-355. Rickey Tyrone Taylor v. State of Arkansas, from Lee County Circuit Court. Appellant's pro se motion for extension of brief time.

CV-17-364. Johnny Ratliff v. Wendy Kelley, Director, Arkansas Department of Correction, from Lee County Circuit Court. Appellant's pro se motions for extension of brief time.

CV-17-672. Carl Prince v. Wendy Kelley, Director, Arkansas Department of Correction, from Sebastian County Circuit Court, Fort Smith District. Petitioner's pro se motion for rule on clerk.

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CASES SUBMITTED

CR-16-432. Nicholas R. Holloway v. State of Arkansas, from Lonoke County Circuit Court.

CR-16-588. Larry Lavell Jones v. State of Arkansas, from Garland County Circuit Court.

CR-16-659. Jonathan Antonio Woods v. State of Arkansas, from Drew County Circuit Court.

CR-16-1125. George Kennedy Cage v. State of Arkansas, from Jefferson County Circuit Court.

CR-17-163. Justin Isiah Burns v. State of Arkansas, from Garland County Circuit Court.

CR-17-250. State of Arkansas v. Miguel Cossio, from Pulaski County Circuit Court, Fourth Division.

CV-15-988. Nathaniel Smith, M.D., MPH, Director of the Arkansas Department of Health, In His Official Capacity, and His Successors In Office v. Marisa N. Pavan and Terrah D. Pavan, Individually, and as Parents, Next Friends, and Guardians of T.R.P., a Minor Child; Leigh D.W. Jacobs and Jana S. Jacobs, Individually, and as Parents, Next Friends, and Guardians of F.D.J., a Minor Child; Courtney M. Kassel and Kelly L. Scott, Individually, and as Parents, Next Friends, and Guardians of A.G.S., a Minor Child, from Pulaski County Circuit Court, Sixth Division.

CV-17-298. Nathan Cooper v. Shannon Kalkwarf Cooper, from Pulaski County Circuit Court, Fourteenth Division.

CR-17-167. Rickie Green v. State of Arkansas, from Lonoke County Circuit Court.

CV-16-387. Allen Lynn Penn v. Richard Gallagher, Assistant Director, and Kermit B. Channell, Executive Director, Arkansas State Crime Laboratory, from Pulaski County Circuit Court, Sixth Division.

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CV-16-758. Willie Hutcherson v. Arkansas Attorney General, Leslie Rutledge; Arkansas Public Defender Commission; Pulaski County Chief Public Defender, William Simpson; Pulaski County Public Defender, Steven Abed; Pulaski County Prosecuting Attorney, Larry Jegley; and Pulaski County Prosecuting Attorney, Terry Ball, from Lee County Circuit Court.

Opinions are available on the internet at

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