

ARKANSAS SUPREME COURT

PROCEEDINGS OF MARCH 8, 2018

KAREN R. BAKER, JUSTICE

[CR-16-968](#). Ivor Gordon v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed.

[CR-17-482](#). Tyrone Swift v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed.

COURTNEY HUDSON GOODSON, JUSTICE

[CR-98-1167](#). Rickey Lee Scott v. State of Arkansas, from Cross County Circuit Court. Petitioner's pro se motion for photocopies at public expense pursuant to the Freedom of Information Act. Motion denied.

JOSEPHINE LINKER HART, JUSTICE

[CR-13-715](#). Troy McCulley v. State of Arkansas, from Poinsett County Circuit Court. Petitioner's pro se motion for record under Rule of Appellate Procedure –Criminal 19. Response ordered.

[CV-17-678](#). Herman Conley, Kenneth Edwards, and James Tate, Sr., Individually and on Behalf of a Class of Similarly Situated Persons v. Boll Weevil Pawn Company, Inc., from Pulaski County Circuit Court, Sixth Division. Supplemental record ordered; supplemental briefing ordered.

[CV-18-9](#). Walter A. McCullough v. Wendy Kelley, Director, Arkansas Department of Correction; Terri Banister, Keith L. Waddle, Sgt. T. Allison, and Sgt. L. Bell, in Their Official Capacities, from Jefferson County Circuit Court. Petitioner's pro se motion for belated appeal. Motion denied.

RHONDA K. WOOD, JUSTICE

[CR-17-613](#). James Gray, Jr. v. State of Arkansas, from Clark County Circuit Court. Appellant's pro se motion for extension of time to lodge the appellant's brief. Appeal dismissed; motion moot. Hart, J., dissents.

[CR-17-646](#). Ricky Wayne White v. State of Arkansas, from Miller County Circuit Court. Affirmed; motion moot. Hart, J., dissents.

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ROBIN F. WYNNE, JUSTICE

[CV-17-473](#). Parrish A. Dare v. Scott A. Frost, from Saline County Circuit Court. Affirmed; court of appeals opinion vacated. Baker, Goodson, and Hart, JJ., concur in part and dissent in part.

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PER CURIAM ORDERS

CR-00-1382. Gary Martin v. State of Arkansas, from Lonoke County Circuit Court. Petitioner's motion to file expanded petition to reinvest the circuit court with jurisdiction to consider a writ of error coram nobis is granted. Baker, J., would deny.

CR-00-1382. Gary Martin v. State of Arkansas, from Lonoke County Circuit Court. Petitioner's petition to reinvest the circuit court with jurisdiction to consider a writ of error coram nobis or other relief based on newly discovered evidence taken as a case.

CR-00-1382. Gary Martin v. State of Arkansas, from Lonoke County Circuit Court. Motion of Bryce Benjet to practice by comity is granted.

CR-00-1382. Gary Martin v. State of Arkansas, from Lonoke County Circuit Court. Petitioner's motion to consolidate proceedings is denied. Baker and Hart, JJ., would grant.

CR-11-19. Joe McKinley Jones v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Petitioner's pro se petition for discretionary review is denied.

CR-17-164. Gary Martin v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion to consolidate proceedings is denied. Baker and Hart, JJ., would grant.

CR-17-276. Richard Jordon Tarver v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellee's motion to file enlarged brief is granted.

CR-17-404. Brandon Eugene Lacy v. State of Arkansas, from Benton County Circuit Court. Appellant's motion to change oral argument date is granted. Hart, J., would deny.

CR-17-734. Jessie Hill v. Hon. Chris E Williams, Circuit Judge, from Grant County Circuit Court. Petitioner's pro se motion for reconsideration is denied.

CR-17-916. Edward Darnell Rogers v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellee's motion for permission to file supplemental briefs is granted.

CR-17-1081. State of Arkansas v. Karen Siegel, from Craighead County Circuit Court, Western District. Appellee's motion to dismiss State's appeal taken with the case. Hart, J., would grant.

CR-18-93. Allen Dale Bradley v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Motion of Clint Miller to be relieved as appellate counsel is granted.

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CV-17-341. Tyrell Benson v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellant's pro se motion to hold rebrief in abeyance is moot. Baker and Hart, JJ., would grant.

CV-17-341. Tyrell Benson v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellant's pro se motion for clarification with memorandum of law in support is denied. Baker, J., would grant.

CV-17-486. Michael Lee Garrison v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Appellant's pro se motion for permission to file a reply to appellee's response to petition for reconsideration is denied. Baker, J., would grant.

CV-17-892. Rick Holman v. Allstate Property and Casualty Insurance Company, Anna Marie Flores, and Kenneth Cummings, from Crawford County Circuit Court. Appellant's motion to request certification to the Arkansas Supreme Court and to transfer case to the Arkansas Supreme Court is denied. Baker, Hart, and Wynne, JJ., would grant.

CV-18-81. Michael Lynn Heard v. Officer Scott Solomon, Individually and in His Official Capacity; Officer David Hess, Individually and in His Official Capacity; Attorney Chad Brown, Individually and in His Official Capacity; Angela A. Byrd, Individually and in Her Official Capacity; Judge Harry G. Foster III, Individually and in His Official Capacity, from Van Buren County Circuit Court. Petitioner's pro se motion to proceed in forma pauperis is denied. Baker, J., would grant.

CV-18-111. Arkansas Department of Human Services v. Rubye Snodgrass, Duane Snodgrass, and Minor Children, from Jefferson County Circuit Court. Appellant's motion to dismiss appeal is granted.

CV-18-124. Shaunesha Moore, Guardian of the Estate of Cortney Moore, an Incapacitated Person; and Cortney Moore, Individually v. Pope County Circuit Court, from Pope County Circuit Court. Petitioners' petition for writ of certiorari or, in the alternative, petition for writ of prohibition or writ of mandamus is denied.

D-18-129. In Re Jerry M. Kirksey, Arkansas Bar No. 89239, an Original Action. Petition of Jerry M. Kirksey, Arkansas Bar No. 89239, for voluntary surrender of license (resignation) is granted.

D-18-142. In Re Debbie Scott Williams, Arkansas Bar No. 88160, an Original Action. Petition of Debbie Scott Williams, Arkansas Bar No. 88160, for voluntary surrender of license (resignation) is granted.

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CR-07-238. Kenny Travis, Jr. v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Petitioner's pro se motion for rule on clerk is denied.

CR-17-856. Michael Eugene Rea v. State of Arkansas, from Saline County Circuit Court. Petitioner's pro se motion for rule on clerk is denied. Hart, J., would grant.

CR-17-882. Adam Eugene Lane v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for extension of time to file a brief, for transcript, and to stay appeal is granted in part and denied in part. Request to stay the proceedings is denied; copy of the record to be forwarded to the appellant; appellant's tendered brief to be filed as of the date of this order.

CV-17-235. Reginald R. Early v. Keith Crockett, Clayborn Carroll, Roberta Lewis, and Lamon Mayo, from Jefferson County Circuit Court. Appellant's pro se motion for an extension of time to file reply brief is granted; appellant's reply brief due within fourteen days from the date of this per curiam order (March 22, 2018).

CV-17-936. William Robert Null v. Arkansas Parole Board and John Felts, Chairman, from Lincoln County Circuit Court. Appellant's pro se motion for copy of record and extension of time to file brief is treated as motion for access to the record and for extension of brief time and is granted. Kemp, C.J., not participating.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-02-228. James E. Smith v. State of Arkansas, from Jefferson County Circuit Court.

CV-16-1041. Vera Lee Angel Revocable Trust, Johnny Angel, and Paula Napper v. Jim O'Bryant and Kay O'Bryant Joint Revocable Trust, John W. Whittaker, Susan C. Whittaker, John Stansel Harvey, Lisa Harvey, Ernest Bernard McCool Trust, Gregory D. Hawkins, Sharon L. Hawkins, Jimmie Earl O'Bryant, Barbara O'Bryant, Glen Dale Perciful, Teresa M. Perciful, Robert Louis Gladfelter Revocable Trust, and Jeanne M. McFarlin Living Trust, from Garland County Circuit Court.

CV-17-439. John Lohbauer v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court.

CR-17-1003. Kenneth Roshell Isom v. State of Arkansas, from Drew County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CR-17-1003. Kenneth Roshell Isom v. State of Arkansas, from Drew County Circuit Court. Appellant's unopposed motion for extension of brief time.

CR-18-139. Roderick Alexander v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's motion for rule on clerk.

CR-18-159. Raddai Ambrosious Swan v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for rule on clerk.

CR-18-159. Raddai Ambrosious Swan v. State of Arkansas, from Washington County Circuit Court. Appellant's motion to seal record.

CR-18-161. Chris Aaron Schnarr v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to consolidate records.

CV-17-341. Tyrell Benson v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellant's pro se motion for appointment of counsel.

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MOTIONS SUBMITTED

CV-18-173. Laura Jackson v. Arkansas Department of Human Services and Minor Child, from Carroll County Circuit Court, Eastern District. Appellant’s motion to dismiss appeal.

D-18-163. In Re Mark T. Fryauf, Arkansas Bar No. 93190, an Original Action. Petition of Mark T. Fryauf, Arkansas Bar No. 93190, for voluntary surrender of license (resignation).

D-18-186. In Re Jeffrey S. Young, Arkansas Bar No. 2000036, an Original Action. Petition of Jeffrey S. Young, Arkansas Bar No. 2000036, for voluntary surrender of license (resignation).

D-18-202. In Re Otto Joseph Boeckmann, Arkansas Bar No. 72010, an Original Action. Petition of Otto Joseph Boeckmann, Arkansas Bar No. 72010, to surrender Arkansas law license.

CR-03-800. Anarian Chad Jackson v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Petitioner’s pro se eighth petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis or, alternatively, petition for writ of audita querela or writ of certiorari, and motion to recall the mandate.

CR-03-800. Anarian Chad Jackson v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Petitioner’s pro se motion for remand to circuit court for appointed counsel for an evidentiary hearing or rehearing of a matter on grounds of newly discovered or newly existing legal defenses.

CR-03-800. Anarian Chad Jackson v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Petitioner’s pro se motion to dismiss without prejudice petition for writ of error coram nobis or, alternatively, petition for writ of audita querela, or petition for writ of certiorari, and motion to recall the mandate.

CR-17-801. Justin Thornton v. Hon. Alex Gynn, Circuit Judge, from Lincoln County Circuit Court. Petitioner’s pro se petition for writ of mandamus.

CR-18-87. Qa’tonious Lee Sirkaneo a/k/a Walter Lee Brooks v. State of Arkansas, from St. Francis County Circuit Court. Petitioner’s pro se motion for belated appeal.

CV-17-1034. Freddie Lee Clark v. State of Arkansas, from Lee County Circuit Court. Petitioner’s pro se motion for reconsideration of notice of appeal.

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CASES SUBMITTED

CR-17-360. Elliott Harold Finch, Jr. v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CV-17-246. Multi-Craft Contractors, Inc., and Gallagher Bassett Services, Inc. v. Rick Yousey, from the Arkansas Workers' Compensation Commission.

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.

CV-17-543. DeSoto Gathering Company, LLC v. Angela Hill, in Her Official Capacity as Faulkner County Assessor; Faulkner County Board of Equalization; Faulkner County, Arkansas; Faulkner County Treasurer; and Faulkner County Tax Collector, from Faulkner County Circuit Court.

[CV-17-678](#). Herman Conley, Kenneth Edwards, and James Tate, Sr., Individually and on Behalf of a Class of Similarly Situated Persons v. Boll Weevil Pawn Company, Inc., from Pulaski County Circuit Court, Sixth Division.

CV-17-896. Arkansas Game & Fish Commission and Public Employee Claims Division v. Oscar A. Gerard, Jr., from the Arkansas Workers' Compensation Commission.

CV-17-364. Johnny Ratliff v. Wendy Kelley, Director, Arkansas Department of Correction, from Lee County Circuit Court.

Opinions are available on the internet at

<http://courts.arkansas.gov>