

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 20, 2018

JOHN DAN KEMP, CHIEF JUSTICE

[CV-18-406](#). James E. Whitney v. Blake H. Chancellor, from Lincoln County Circuit Court. Pro se notice and advisement (motion to file nonconforming brief). Appeal dismissed; motion moot. Hart, J., dissents.

COURTNEY HUDSON GOODSON, JUSTICE

[CR-17-891](#). Christopher Fletcher v. State of Arkansas, from Jefferson County Circuit Court. Affirmed; motion to withdraw granted. Baker and Hart, JJ., dissent.

ROBIN F. WYNNE, JUSTICE

[CR-17-854](#). Angela Zimmerman v. Circuit Court of Miller County, from Miller County Circuit Court. Petition for writ of certiorari. Petition granted. Wood, J., dissents.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 20, 2018

PER CURIAM ORDERS

REVIEW GRANTED: Petition for review was granted today in the following case.

CV-18-545. Carolyn Lawson v. Simmons Sporting Goods, Inc., from Ashley County Circuit Court. Kemp, C.J., and Hart, J., would deny.

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

CR-18-514. Michael Jackson v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Hart, J., would grant.

CV-18-438. Megan E. Jones v. Arkansas Local Police and Fire Retirement System, Board of Trustees, et al., from Pulaski County Circuit Court, Sixth Division.

CV-18-443. Kent Douglas McCoy v. Ronald D. Robertson, M.D.; Mario Rueda, M.D.; Christopher W. Fowler, D.O.; Mary Katherine Kimbrough, M.D.; John Does 1–3; and Jane Does 1–3, from Pulaski County Circuit Court, Fifth Division.

CV-18-444. DWB, LLC, d/b/a Mayflower RV Sales and Services; and Danny Brown, Individually v. D & T Pure Trust; Mayflower R.V., Inc.; and Toni Leon Boydston, as Personal Representative of the Estate of Lendell Douglas Boydston, from Pulaski County Circuit Court, Seventeenth Division. Hart and Wood, JJ., would grant.

CV-18-451. Rick Holman v. Anna Marie Flores, Kenneth Cummings, and Allstate Property and Casualty Insurance Company, from Crawford County Circuit Court.

CV-18-466. Kenisha Williform v. Arkansas Department of Human Services, from Craighead County Circuit Court, Western District.

CV-18-467. James Tony Hollis v. National Office of the NAACP, National Association for the Advancement of Colored People, State Conference President Dale Chales, and Local Unit 6020 Officers James Welspom, Dorothy Daniels, and Mary Sue Jefferson, from Mississippi County Circuit Court, Chickasawba District.

CV-18-468. Bradley Wiseman and the Estate of Patsy Joann Malenke v. Teresa Joann Keeter, Michael Wiseman, Teri Gish, Robin Hunsperger, Joe Schmit, Brian Malenke, and Jake Schmit, from Marion County Circuit Court.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 20, 2018

PER CURIAM ORDERS

REVIEWS DENIED: continued

CV-18-474. Evelyn Chism and James Gregory Chism v. James R. Chism, from Conway County Circuit Court.

CV-18-515. Blackwood’s Island, J.V.; Michael D. Wilkins; and Moore Broadway, LLC v. Mark Stodola, Mayor of the City of Little Rock, Arkansas; The City of Little Rock; Barry Hyde, County Judge of Pulaski County, Arkansas; and the County of Pulaski, from Pulaski County Circuit Court, Second Division. Goodson, J., not participating.

CV-18-519. Katlyn Bales v. Arkansas Department of Human Services and Minor Children, from Scott County Circuit Court. Hart, J., would grant.

CV-18-523. DFA, Inc., an Arkansas Corporation v. Gary Cole and Linda Cole, from Polk County Circuit Court.

CV-18-540. R.W. Distributors, Inc. v. Texarkana Tractor Company, from Pulaski County Circuit Court, Seventeenth Division.

CV-18-547. W.N. v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Fifth Division.

CV-18-550. Agility Financial Credit Union v. Gayla Largent and Western Arkansas Title Services, LLC, from Sebastian County Circuit Court, Fort Smith District.

CV-18-586. Sharon Patrick v. Director et al., from the Arkansas Board of Review.

CR-17-89. Mauricio Alejandro Torres v. State of Arkansas, from Benton County Circuit Court. Appellee’s motion to file enlarged brief is granted.

CR-18-460. Andwelle Sieed Ellis v. State of Arkansas, from Jackson County Circuit Court. Appellant’s petition for writ of certiorari to complete the record and to stay briefing or, alternatively, for extension of time is granted.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 20, 2018

PER CURIAM ORDERS

CV-18-516. The City of Magnolia v. Dennis Milligan, in His Official Capacity as Treasurer of the State of Arkansas; Larry Atkinson, in His Official Capacity as County Judge for Columbia County; and Selena Blair, in Her Official Capacity as County Treasurer for Columbia County, from Pulaski County Circuit Court, Thirteenth Division. Appellant's motion to certify appeal to the Arkansas Supreme Court is denied. Hart, J., would grant.

CV-18-602. Randy Everett, Individually and as Representative of Everett Farm Partnership; Everett Farm Partnership; Leslie T. Brown, Individually and as Representative of Leslie T. Brown Farms Partnership; and Leslie T. Brown Farms Partnership v. Monsanto Company; Arkansas State Plant Board; Walter "Bruce" Alford; Kyle Baltz; Russell Black; Russell Bragg; Robert Campbell; Dr. Rick Cartwright; Marty Eaton; Danny Finch; Barry Walls; Terry Fuller; Greg Hay; Otis Howe; Jerry Hyde; Larry Jayroe; Thomas Post; Dr. Craig Rothrock; Dennie Stokes; and Matthew Marsh, in Their Official Capacities as Board Members of the Arkansas State Plant Board, from Pulaski County Circuit Court, Second Division. Appellant's motion to dismiss appeal without prejudice is granted. Hart, J., would deny. Goodson, J., not participating.

CV-18-722. Randy Zook, Individually and on Behalf of Arkansans for Common Sense Term Limits, a Ballot Question Committee v. Hon. Mark Martin, in His Official Capacity as Secretary of State of the State of Arkansas; and Arkansas Term Limits, a Ballot Question Committee, an Original Action. Motion of Garrett W. Hunkins for admission pro hac vice is granted. (Proceedings of September 14, 2018)

CV-18-731. Judith Corinne Stiritz, Billy Carroll Wheeler, Kenneth Ray Carney, and Bobby Gene Smith, Individually and on Behalf of Ensuring Arkansas' Future v. Hon. Mark Martin, in His Official Capacity as Secretary of State of the State of Arkansas; and Don Tilton, Individually and on Behalf of Arkansas Jobs Coalition, an Original Action. Motion to intervene is granted. Kemp, C.J., not participating. (Proceedings of September 13, 2018)

CV-18-731. Judith Corinne Stiritz, Billy Carroll Wheeler, Kenneth Ray Carney, and Bobby Gene Smith, Individually and on Behalf of Ensuring Arkansas' Future v. Hon. Mark Martin, in His Official Capacity as Secretary of State of the State of Arkansas; and Don Tilton, Individually and on Behalf of Arkansas Jobs Coalition, an Original Action. Intervenor's motion to consolidate is denied. Kemp, C.J., not participating. (Proceedings of September 18, 2018)

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 20, 2018

PER CURIAM ORDERS

[CV-18-745](#). Jim Knight, in His Individual Capacity and on Behalf of Citizens for Local Choice v. Hon. Mark Martin, in His Official Capacity as Secretary of State of the State of Arkansas, an Original Action. Motion for expedited scheduling order granted; motion for consecutive briefing granted; and motion for oral argument denied. Womack, J., would grant motion for oral argument. Kemp, C.J., not participating. See **per curiam** of September 14, 2018.

CV-18-745. Jim Knight, in His Individual Capacity and on Behalf of Citizens for Local Choice v. Hon. Mark Martin, in His Official Capacity as Secretary of State of the State of Arkansas; and Don Tilton, Individually and on Behalf of Arkansas Jobs Coalition, an Original Action. Motion to intervene is granted. Intervenor’s motion to consolidate is denied. Kemp, C.J., not participating. (Proceedings of September 18, 2018)

[CV-18-749](#). Mark Martin, in His Official Capacity as Secretary of State for the State of Arkansas; and Randy Zook, Individually and on Behalf of the Legislative Question Committee, Arkansans for Jobs and Justice v. Marion Humphrey, from Pulaski County Circuit Court, Seventeenth Division. Motions to supplement the record, for expedited consideration, scheduling order, and consecutive briefing granted; alternative motion to immediately stay writ of mandamus by Pulaski County Circuit Court, and motion for oral argument denied. Wood and Womack, JJ., would grant motion for oral argument. Kemp, C.J., not participating. See **per curiam** of September 17, 2018.

D-18-704. In Re Chris A. Paul, Arkansas Bar No. 2006121, an Original Action. Petition of Chris A. Paul, Arkansas Bar No. 2006121, for voluntary surrender of attorney license (resignation) is granted.

CR-18-521. Terrell Wayne Hood v. State of Arkansas, from Faulkner County Circuit Court. Petitioner’s pro se petition for writ of certiorari is denied.

In Re Adoption of Final Order of Protection Form. Hart, J., dissents. See [dissenting opinion](#) this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 20, 2018

MOTIONS SUBMITTED

CR-18-700. Stacey Eugene Johnson v. State of Arkansas, from Sevier County Circuit Court. Motion of Karen Thompson to practice by comity in the State of Arkansas.

CR-18-700. Stacey Eugene Johnson v. State of Arkansas, from Sevier County Circuit Court. Entry of appearance of Erin Cassinelli as counsel for appellant.

CR-18-700. Stacey Eugene Johnson v. State of Arkansas, from Sevier County Circuit Court. Motion of Jeff Rosenzweig to withdraw as counsel for appellant.

CR-18-707. Rodney Wayne Rayburn v. State of Arkansas, from Cleburne County Circuit Court. Motion of Tammy L. Harris to withdraw as attorney on direct appeal and for appointment of substitute counsel and to stay briefing time.

CV-18-486. Michael Lee Murphy v. Nancy Lee Murphy, from Faulkner County Circuit Court. Appellant's motion to seal.

CV-18-522. TEGNA, Inc. v. Courtney Goodson and Courtney Goodson Campaign, from Pulaski County Circuit Court, Second Division. Motion of TEGNA, Inc., to transfer case to the Arkansas Supreme Court.

CV-18-709. Clint Kloss v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Appellant's motion to remand, to correct the record, and to stay the time to lodge the record.

CV-18-710. T.S.B., Minor Child v. Elizabeth A. Robinson, Christopher Cook, Tammy A. Robinson (Wright), and B.R.C., Minor Child, from Garland County Circuit Court. Petitioner's petition for order in forma pauperis.

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.

CR-18-302. Brandon Wallace v. Hon. Leon Johnson, Circuit Judge, from Pulaski County Circuit Court, First Division. Petitioner's pro se petition for writ of mandamus.

CR-18-582. Howard Lee Leach v. Hon. Mark Lindsay, Circuit Judge, from Washington County Circuit Court. Petitioner's pro se petition for writ of mandamus.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 20, 2018

MOTIONS SUBMITTED

CV-18-141. Wallace A. Gardner v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Appellant's pro se motion for appointment of counsel.

CV-18-141. Wallace A. Gardner v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Appellant's pro se motion for extension of time to correct brief.

CV-18-141. Wallace A. Gardner v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Appellant's pro se motion to order Lincoln County Circuit Clerk to furnish documents.

CV-18-141. Wallace A. Gardner v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Appellant's pro se motion for status.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 20, 2018

CASES SUBMITTED

CR-17-654. Kenneth Reams v. State of Arkansas, from Jefferson County Circuit Court. Orally argued.

CV-18-375. Hon. Mark Martin, in His Official Capacity as Secretary of State for the State of Arkansas and in His Official Capacity as Chairman of the State Board of Election Commissioners; Rhonda Cole, James Harmon Smith III, Belinda Harris-Ritter, Charles Roberts, Chad Pekron, and James Sharp, in Their Official Capacities as Commissioners of the Arkansas State Board of Election Commissioners v. Barry Haas, from Pulaski County Circuit Court, Twelfth Division. Orally argued.

CR-17-1058. James Eugene Sharp v. State of Arkansas, from Garland County Circuit Court.

CR-17-1081. State of Arkansas v. Karen Siegel, from Craighead County Circuit Court, Western District.

CV-17-500. Arkansas Department of Human Services, Erica Eneks, and Tony Huffman v. Tegan Dowdy and Minor Children, from Crawford County Circuit Court.

CV-17-901. Bruce Earl Ward v. William Asa Hutchinson, Governor of the State of Arkansas; Wendy Kelley, Director, Arkansas Department of Correction; Mark Cashion, Warden, Varner Supermax Unit; and Benny Magness, Chairperson, Arkansas Board of Corrections; in Their Respective Official Capacities, from Pulaski County Circuit Court, Sixth Division.

CR-17-535. Robert Friar v. State of Arkansas, from Jackson County Circuit Court.

CV-16-1017. Jeremy S. Kennedy v. John Felts, Chairman; and Arkansas Parole Board, from Pulaski County Circuit Court, Sixth Division.

Opinions are available on the internet at

<http://arcourts.gov>