

SUPREME COURT OF ARKANSAS

No. 09-79

KENNEDY FUNDING INC.; REST IN
PEACE MEMORIAL GARDENS INC.;
WILLIE ACKLIN; RITA ACKLIN; AND
SAM JARVIS

APPELLANTS

V.

VIRGIL W. SHELTON, BEVERLY JEAN
SHELTON, AND JOHN LYNN
SHELTON

APPELLEES

Opinion Delivered April 1, 2010

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT
[NO. CV-06-7798]

HON. TIMOTHY DAVIS FOX, JUDGE,

REMANDED TO COURT OF
APPEALS.

JIM GUNTER, Associate Justice

This case was accepted upon certification from the court of appeals. After further review, we decline to address the issues presented on certification and remand the case to the court of appeals for a decision on the merits.

Remanded to the court of appeals.

Quattlebaum, Grooms, Tull & Burrow, PLLC, by: *David B. Vandergriff*, for appellant
Kennedy Funding.

Welch and Kitchens, LLC, by: *Morgan E. Welch*; and
Baker & Schulze, by: *J.G. "Gerry" Schulze*, for appellees.