

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 2, 2019

JOHN DAN KEMP, CHIEF JUSTICE

[CR-16-830](#). James Elijah West v. State of Arkansas, from Garland 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. Petition denied.

[CV-18-228](#). Koppers, Inc. v. Kelvin Trotter, Nathane Davis, Lonzo Allen, and Ken Piggee, Individually and on Behalf of All Others Similarly Situated, from Pulaski County Circuit Court, Second Division. Remanded with instructions. Special Justice John R. Scott joins. Wood and Womack, JJ., concur in part and dissent in part. Goodson, J., not participating.

KAREN R. BAKER, JUSTICE

[CR-18-962](#). Kenneth Hinton v. State of Arkansas, from Lincoln County Circuit Court. Affirmed. Hart, J., dissents.

JOSEPHINE LINKER HART, JUSTICE

[CR-18-590](#). State of Arkansas v. Roger Jones, from Washington County Circuit Court. Appeal dismissed. Womack, J., concurs.

ROBIN F. WYNNE, JUSTICE

[CR-15-539](#). Trecie Oliver v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Petitioner's pro se motion for copies at public expense. Motion denied.

[CR-18-899](#). Justin R. Simpson v. State of Arkansas, from Polk County Circuit Court. Petitioner's pro se motion and amended motion for belated appeal. Remanded for findings of fact.

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PER CURIAM ORDERS

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

CV-18-569. Eric C. Burgie v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Baker and Hart, JJ., would grant.

CR-18-588. Darrell Dennis v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Appellant's pro se petition for rehearing treated as motion for reconsideration and denied. Hart, J., would grant.

CR-18-845. Karl D. Roberts v. State of Arkansas, from Polk County Circuit Court. Appellee's motion to file enlarged brief is granted.

CR-19-97. Anastasia Turner v. State of Arkansas, from Benton County Circuit Court. Certification of appellant's motion for belated appeal. Motion granted; appeal to proceed in Court of Appeals.

CR-19-257. Scotty Ray Gardner v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for permission to open and review sealed exhibits is granted.

CR-19-257. Scotty Ray Gardner v. State of Arkansas, from Faulkner County Circuit Court. Appellant's petition for writ of certiorari to complete and settle or reconstruct the record is granted.

CR-19-257. Scotty Ray Gardner v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to stay briefing schedule is granted.

CR-19-265. Zacharia Andrew Denniston v. State of Arkansas, from Johnson County Circuit Court. Appellant's motion to file belated appeal is granted.

CR-19-266. Zacharia Andrew Denniston v. State of Arkansas, from Johnson County Circuit Court. Appellant's motion to file belated appeal is granted.

CR-19-309. Rogrick Adway v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to file belated appeal is granted.

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CR-19-371. Cortez Stewart v. Circuit Court of Hot Spring County and Hon. Chris Williams, Circuit Judge, from Hot Spring County Circuit Court. Petitioner's petition for writ of certiorari, expedited consideration, or for other relief. Expedited consideration is granted. Petitioner's petition for writ of certiorari or for other relief is denied. Hart, J., would grant. Wood, J., would order case to be reassigned to a different division. Petitioner's motion to file record under seal is denied. Kemp, C.J., not participating. (Proceedings of April 29, 2019)

CV-17-827. Jim R. Nash v. Norma Nash, Individually and as Trustee of the Norma F. Nash Living Trust; John Nash, Jr., Individually and for Norma Nash, Deceased, as Co-trustee of the Norma F. Nash Living Trust, and as Co-administrator of the Norma Nash Estate; Pam Nash Glover, Individually and for Norma Nash, Deceased, as Co-trustee of the Norma F. Nash Living Trust, and as Co-administrator of the Norma Nash Estate; Susan Nash Lyle, Individually and for Norma Nash, Deceased; Perry Nash, Individually and for Norma Nash, Deceased; and Gaylen McClanahan, from Pulaski County Circuit Court, Second Division. Appellant's motion for expansion of the page limit for petition for review by the Supreme Court is granted. Kemp, C.J., and Goodson and Wynne, JJ., would deny.

CV-19-100. Brianna Jones v. Arkansas Department of Human Services and Minor Children, from Hempstead County Circuit Court. Appellant's belated petition for review is denied. Hart, J., would grant.

CV-19-100. Brianna Jones v. Arkansas Department of Human Services and Minor Children, from Hempstead County Circuit Court. Appellant's motion for belated appeal is granted. Court of Appeals opinion vacated, and appeal reinstated in case no. CV-18-539. Kemp, C.J., and Wood and Womack, JJ., would deny.

CV-19-244. Lakeside Nursing and Rehabilitation Center, Inc., d/b/a Lakeside Nursing Center; Extend-Care, Inc.; RHC Operations, Inc.; and Reliance Health Care, Inc. v. Lourindia Rufkahr and Tiana Haley, as Power of Attorney for and on Behalf of Billie Jean Haley, from Craighead County Circuit Court, Eastern District. Appellees' motion to strike appellants' supplemental authority is denied. Kemp, C.J., and Wynne, J., would grant.

CV-19-283. Carol Wingo v. Stephens Timber Management, Inc., from Newton County Circuit Court. Appellant's motion for rule on clerk is denied. Hart and Wood, JJ., would grant. Womack, J., not participating.

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CV-19-295. (In the Matter of the Estate of Herman Pedro Ford, Deceased) Deran M. Ford, Executor of the Estate of Herman Pedro Ford, from Pulaski County Circuit Court, Twelfth Division. Appellant's petition for leave to proceed in forma pauperis is denied.

CV-19-318. Roby Clifton Davis v. PennyMac Loan Services, LLC, from the United States Bankruptcy Court, Western District of Arkansas. Motion for certification of a question of law is granted.

D-19-332. In Re Bruce Edge, Arkansas Bar No. 2016019, an Original Action. Petition of Bruce Edge, Arkansas Bar No. 201609, for voluntary surrender of license (resignation) is denied. Hart, J., would grant.

D-19-333. In Re Stephen D. Stitt, Arkansas Bar No. 89213, an Original Action. Petition of Stephen D. Stitt, Arkansas Bar No. 89213, for voluntary surrender of license (resignation) is granted.

CR-18-402. Heath Stocks v. State of Arkansas, from Lonoke County Circuit Court. Appellant's pro se motion to file appellant's reply brief under seal is granted.

CR-18-908. Robert Lee Holt v. State of Arkansas, from Benton County Circuit Court. Appellee's motion to dismiss appeal is granted.

CR-18-1001. Paul M. Gordon v. Hon. Chris Williams, Circuit Judge, from Hot Spring County Circuit Court. Petitioner's pro se petition for writ of mandamus is moot. Wood, J., would dismiss as moot.

CR-18-1041. William H. Todd, Sr. v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion for rule on clerk is granted.

CR-19-71. Charles E. Alexander v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Petitioner's pro se motion for leave to file treated as motion for rule on clerk and denied.

CR-19-71. Charles E. Alexander v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Petitioner's pro se amendment to motion for rule on clerk is denied.

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CV-18-399. James Edward Whitney v. James Plummer, from Lincoln County Circuit Court. Appellant's pro se motion for rule on clerk to file belated petition for rehearing treated as motion to file a belated motion for reconsideration and denied. Hart, J., would grant.

CV-18-407. James E. Whitney v. Carolyn Wallace, from Lincoln County Circuit Court. Appellant's pro se motion for rule on clerk to file belated petition for rehearing treated as motion to file a belated motion for reconsideration and denied. Hart, J., would grant.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CR-17-988. Rodolfo Martinez v. State of Arkansas, from Washington County Circuit Court.

CR-13-1006. Rolandis Chatmon v. State of Arkansas, from Faulkner County Circuit Court. Petitioner's pro se motion for reconsideration of denial of fourth pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.

CV-19-244. Lakeside Nursing and Rehabilitation Center, Inc., d/b/a Lakeside Nursing Center; Extend-Care, Inc.; RHC Operations, Inc.; and Reliance Health Care, Inc. v. Lourindia Rufkahr and Tiana Haley, as Power of Attorney for and on Behalf of Billie Jean Haley, from Craighead County Circuit Court, Eastern District. Appellees' motion for substitution of party.

CV-19-293. City of Little Rock v. Ladonna Nelson, as Parent and Next Friend of Ricky Nelson, Individually and on Behalf of Others Similarly Situated, from Pulaski County Circuit Court, Second Division. Appellant's motion to stay.

CV-19-346. Ileshia Garner v. The Goodyear Tire & Rubber Company and Dezmon Gordon, from Phillips County Circuit Court. Appellant's petition for writ of certiorari to supplement and complete the record.

CV-19-346. Ileshia Garner v. The Goodyear Tire & Rubber Company and Dezmon Gordon, from Phillips County Circuit Court. Appellant's amendment to petition for writ of certiorari to supplement and complete the record.

CR-95-1314. Lawrence Edward Martin v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Petitioner's pro se second petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.

CR-95-1314. Lawrence Edward Martin v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Petitioner's pro se motion seeking leave to file response.

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MOTIONS SUBMITTED

CR-95-1314. Lawrence Edward Martin v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Petitioner's pro se motion for the court to provide copies marked filed of petition, exhibits, motion for leave to file response, and any and all responses from the respondent should the court deny the petition.

CR-95-1314. Lawrence Edward Martin v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Petitioner's pro se motion for appointment of counsel.

CR-16-633. Lee Sullivan Ivory v. State of Arkansas, from Independence 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-16-633. Lee Sullivan Ivory v. State of Arkansas, from Independence County Circuit Court. Petitioner's pro se motion for appointment of counsel.

CR-16-633. Lee Sullivan Ivory v. State of Arkansas, from Independence County Circuit Court. Petitioner's pro se motion for appointment of counsel of record.

CR-18-495. Jacob Jerome Taylor v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion to file belated brief.

CR-18-495. Jacob Jerome Taylor v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion for appointment of counsel.

CR-18-495. Jacob Jerome Taylor v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion for file-marked copy of brief statement and the attached addendum.

CR-18-646. Duane Jefferson Gonder v. State of Arkansas, from Drew County Circuit Court. Appellant's pro se motion for rule on clerk.

CR-19-51. James D. Cribbs v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Petitioner's pro se motion for belated appeal.

CR-19-188. Donnalson Brown a/k/a Donaldson Brown v. Hon. Herbert Wright, Circuit Judge, from Pulaski County Circuit Court, Fourth Division. Petitioner's pro se petition for writ of mandamus.

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CASES SUBMITTED

CR-17-982. State of Arkansas v. David Reynolds, from Pulaski County Circuit Court, Fourth Division.

CV-17-653. Dennis Milligan, in His Official Capacity as Treasurer of the State of Arkansas v. David Singer, from Pulaski County Circuit Court, Second Division.

CV-18-24. Jimmy Banks, Individually and in His Official Capacity v. Sharon Jones, from Jefferson County Circuit Court.

CV-18-61. Sheila McHughes, David Hodges, and Josh McHughes v. Anissa Wayland and Children's Medical Transportation Service, LLC, from Saline County Circuit Court.

CV-18-63. Kyle Rhodes, Wesley Atwood, and Samantha Hudon v. The Kroger Company, Andres Tyson, and Patrick Scherrey, from Pulaski County Circuit Court, Second Division.

CV-18-114. Miracle Kids Success Academy, Inc. v. Marvin Henry Maurras, from Pulaski County Circuit Court, Twelfth Division.

CV-18-151. Debbie Worsham v. Roy Day and Teresa Day, from Franklin County Circuit Court, Northern District.

CR-18-646. Duane Jefferson Gonder v. State of Arkansas, from Drew County Circuit Court.

Opinions are available on the internet at

<http://arcourts.gov>