

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 19, 2019

KAREN R. BAKER, JUSTICE

[CV-19-214](#). Ralph Douthitt v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Affirmed. Special Justice Gunner DeLay joins. Hart, J., concurs in part and dissents in part. Kemp, C.J., not participating.

COURTNEY RAE HUDSON, JUSTICE

[CV-19-30](#). Kenneth Ramirez v. Wendy Kelley, Director, Arkansas Department of Correction, from Pulaski County Circuit Court, Sixth Division. Appellant's pro se motion for extension of time to file brief. Appeal dismissed; motion moot. Hart, J., dissents.

JOSEPHINE LINKER HART, JUSTICE

[CV-19-641](#). Safe Surgery Arkansas, a Ballot Question Committee; and Sponsor, and Laurie Barber, M.D., Individually and on Behalf of Safe Surgery Arkansas v. John Thurston, in His Official Capacity as Secretary of State; State of Arkansas; Arkansans for Healthy Eyes, a Ballot Question Committee; and Vicki Farmer, Individually and on Behalf of Arkansans for Healthy Eyes, an Original Action. Petition granted in part; denied in part. Wood, J., concurs. Kemp, C.J., and Hudson and Womack, JJ., dissent. *See substituted opinion issued December 17, 2019.*

RHONDA K. WOOD, JUSTICE

[CV-19-426](#). Melvin Jefferson v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Hart, J., concurs.

ROBIN F. WYNNE, JUSTICE

[CV-18-573](#). Ray H. Dawson, Jr. v. Janelle D. Stoner-Sellers, Individually and as Trustee of R&LD Trust, R&LD Trust II, and R&LD Trust III; Jennifer Bouchillon, Individually and as Trustee of R&LD Trust, and R&LD Trust III; Jennifer Bouchillon and Luetta Dawson, as Co-trustees of JDS Trust and JDS Trust II; and Luetta Dawson, from Crittenden County Circuit Court. Affirmed in part; reversed and remanded in part. Special Justice Jim D. Spears joins. Wood, J., concurs. Hart, J., dissents. Kemp, C.J., not participating.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 19, 2019

SHAWN A. WOMACK, JUSTICE

[CV-18-928](#). Chad Parnell, an Arkansas Citizen on Behalf of Himself and All Other Arkansas Citizens Similarly Situated v. Fanduel, Inc., from Garland County Circuit Court. Affirmed. Hart, J., dissents.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 19, 2019

PER CURIAM ORDERS

REHEARINGS DENIED: Petitions for rehearing were denied today in the following cases.

CR-18-425. Edward Thompson v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-19-15. Shaniqua Finley v. State of Arkansas, from Pulaski County Circuit Court, First Division. Hart, J., would grant.

CV-18-45. Robinson Nursing and Rehabilitation Center, LLC, d/b/a Robinson Nursing and Rehabilitation Center; Central Arkansas Nursing Centers, Inc.; Nursing Consultants, Inc.; and Michael Morton v. Andrew Phillips, as Personal Representative of the Estate of Dorothy Phillips, and on Behalf of the Wrongful Death Beneficiaries of Dorothy Phillips and on Behalf of Themselves and All Others Similarly Situated, from Pulaski County Circuit Court, Sixth Division. Special Justice Greg Vardaman agrees. Womack, J., would grant. Wood, J., not participating.

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

CV-17-924. Victor Bernard Williams, M.D. v. Baptist Health d/b/a Baptist Health Medical Center; Douglas Weeks, Individually and in His Official Capacity as Vice-President/Administrator of Baptist Health Medical Center; Tim Burson, M.D., Individually and in His Official Capacity as Chief of Surgery and Chairperson of the Surgery Control Committee; Scott Marotti, M.D., Individually and in His Official Capacity as a Member of the Surgery Control Committee; Frederick A. Meadors, M.D., Individually and in His Official Capacity as a Member of the Surgery Control Committee; Robert Casali, M.D., Individually and in His Official Capacity as a Member of the Surgery Control Committee; T. Robert Moffett, M.D., Individually and in His Official Capacity as a Member of the Surgery Control Committee; Susan Keathley, M.D., Individually and in Her Official Capacity as Chairperson of the Credentials Committee; Everett Tucker, M.D., Individually and in His Official Capacity as a Member of the Credentials Committee; Chris Cate, M.D., Individually and in His Official Capacity as a Member of the Chairman of the Executive Committee and Chief of Staff of Baptist Medical Center; Jane Does; and Jane Does and John Does, from Pulaski County Circuit Court, Sixth Division. Kemp, C.J., and Baker and Hudson, JJ., would deny.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 19, 2019

PER CURIAM ORDERS

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

CR-18-500. Roderick Montgomery v. State of Arkansas, from Ashley County Circuit Court. Hart, J., would grant.

CR-18-508. Roderick Montgomery v. State of Arkansas, from Drew County Circuit Court. Hart, J., would grant.

CR-18-524. John Dunn v. State of Arkansas, from Clark County Circuit Court.

CR-18-659. Henry A. Harmon v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-18-891. Jeran Kyler Sorum v. State of Arkansas, from Benton County Circuit Court. Hart, J., would grant.

CR-18-921. Christopher W. Terrell v. State of Arkansas, from Poinsett County Circuit Court. Hart, J., would grant.

CR-18-955. Lenin Alejandro-Alvarez v. State of Arkansas, from Crawford County Circuit Court. Wynne, J., would grant.

CR-18-986. Milton Peebles III v. State of Arkansas, from Garland County Circuit Court.

CR-18-996. Parnell May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Wood, J., would grant.

CR-19-473. Anthony Jerome Fitzgerald v. State of Arkansas, from Jefferson County Circuit Court.

CV-18-340. Thomas Sanders v. Union Pacific Railroad Company, from Pulaski County Circuit Court, Seventeenth Division. Hart, J., would grant. Wood, J., not participating.

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.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 19, 2019

PER CURIAM ORDERS

REVIEWS DENIED: (continued)

CV-18-748. Samuel L. Conley v. Althea T. Conley, from Union County Circuit Court. Wood, J., would grant.

CV-18-893. Dr. Michael Eugene Johnson, M.D.; Bill Wagner, RN; Arkansas Methodist Hospital Corporation d/b/a Arkansas Methodist Medical Center; John Does 1–5; John Does 6–10; John Does 11–20; and John Doe Insurance Companies 1–5 v. Ashley Bradley and Corey Hunt, Special Co-administrators of the Estate of Trey Jordan Hunt, Deceased, from Greene County Circuit Court. Baker and Hart, JJ., would grant. Kemp, C.J., not participating.

CV-19-207. Jennifer L. Ward v. Steven W. Ward II, from Lawrence County Circuit Court. Wood, J., would grant.

CV-19-469. Brinkley School District v. Terminix International Company, L.P., Terminix International, Inc.; ServiceMaster Consumer Services, L.P.; ServiceMaster Management Services, Inc.; Rodney Glenn Lloyd, an Individual; and John Does Nos. 1 Through 10, Being Those Persons, Firms, Corporations, or Other Legal Entities Who, at All Times to This Complaint: Employed the Individuals Providing the Services Complained of; Held Certified Pest Operator Licenses for the Branch Offices Servicing the Accounts at Issue Licenses Required to Engage in Performance of Said Services and Were Employed By Any Defendant; Conspired with Any Defendant, or With Other Individuals and Entities Whose Conduct Contributed to Cause the Occurrences Made the Basis of this Lawsuit; are the Successors or Predecessors in Interest, Trustee, Attorney-In-Fact, Principal, Representative or Agent of Any of Those Individuals or Entities Described Above, from Monroe County Circuit Court.

E-19-137. Krystle Morris v. Director et al., from the Arkansas Board of Review.

CR-12-588. Jackie Breeden, Jr. v. State of Arkansas, from Benton County Circuit Court. Petitioner’s pro se petition for rehearing treated as motion for reconsideration and denied. Hart, J., would grant.

CR-17-17. Darryl Talley, Jr. v. State of Arkansas, from Pulaski County Circuit Court, First Division. Petitioner’s pro se motion for reconsideration is denied.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 19, 2019

PER CURIAM ORDERS

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

CR-18-706. LaJason Jaquize Coakley v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough to be relieved as counsel for appellant is granted.

CR-19-32. Eddie L. Pugh v. State of Arkansas, from Poinsett County Circuit Court. Appellant's pro se motion for reconsideration treated as petition for rehearing and denied. Hart, J., would grant.

CR-19-383. Sammie L. Thomas, Jr. v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion for extension of time to comply with writ of certiorari is granted. Special Justice Tiffany Milligan Brown agrees. Wood, J., not participating.

CR-19-861. Mochariee West v. State of Arkansas, from Garland County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

CV-19-390. Jessie Hill v. Hon. Jodi Raines Dennis, Circuit Judge, from Lincoln County Circuit Court. Appellant's pro se motion for reconsideration, to amend or supplement brief and to supplement original habeas petition is denied. Hart, J., would grant.

CV-19-669. Trencie V. Oliver v. State of Arkansas, from Lee County Circuit Court. Petitioner's pro se motion for reconsideration is denied.

CV-19-789. Larry Walther, Director, Arkansas Department of Finance and Administration; Andrea Lea, State Auditor; and Dennis Milligan, State Treasurer v. Mike Wilson, from Pulaski County Circuit Court, Second Division. Appellants' motion to correct the record is granted.

CV-19-840. Kawaski Motors Corp., U.S.A.; and Kawaski Motors Manufacturing Corp., U.S.A. v. Sherry Powell, Individually and as Limited Guardian of Darrell Powell, an Incapacitated Person; GhettoWorks Corp.; and John Does I-X, from Cleburne County Circuit Court. Petitioners' unopposed motion to stay consideration and ruling by the Supreme Court of Arkansas is granted.

CV-19-876. (In the Matter of Seth Monroe) Seth Monroe v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Fifteenth Division. Petitioner’s pro se petition for leave to proceed in forma pauperis is denied. Hart, J., would grant.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 19, 2019

PER CURIAM ORDERS

CV-19-883. State of Arkansas v. Anna Vinogradova, from Benton County Circuit Court. Petitioner’s petition for writ of prohibition is denied.

CV-19-889. Secia Salinas v. Arkansas Department of Human Services, A.F., M.S., M.S., and S.N., Minor Children, from Washington County Circuit Court. Appellant’s motion for extension of time to lodge appellate record is granted.

CV-19-890. Secia Salinas v. Arkansas Department of Human Services, C.N., and S.N., Minor Children, from Washington County Circuit Court. Appellant’s motion for extension of time to lodge appellate record is granted.

D-19-878. In Re Dustyn Codie Martin, Arkansas Bar No. 2016051, an Original Action. Petition of Dustyn Codie Martin, Arkansas Bar No. 2016051, for surrender of license is granted.

D-19-880. In Re Paul E. Herrod, Arkansas Bar No. 84070, an Original Action. Petition of Paul E. Herrod, Arkansas Bar No. 84070, for surrender of license is granted.

CR-14-294. Dewayne Curtis Wright v. State of Arkansas, from Ouachita County Circuit Court. Appellant’s pro se motion for access to the trial transcript at State’s expense is denied. Hart, J., would grant.

CR-19-64. Steven Christopher Hayes v. State of Arkansas, from Saline County Circuit Court. Appellant’s pro se motion for extension of time to file reply brief is moot. Hart, J., would grant.

CR-19-64. Steven Christopher Hayes v. State of Arkansas, from Saline County Circuit Court. Appellant’s pro se motion to supplement the addendum and file a substituted brief is granted.

CV-19-516. Michael E. Rea v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Appellant’s pro se motion to duplicate at State’s expense is denied. Hart, J., would grant.

ARKANSAS SUPREME COURT
PROCEEDINGS OF DECEMBER 19, 2019
PER CURIAM ORDERS

In Re Board of Certified Court Reporter Examiners. See [per curiam](#) this date.