

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 17, 2020

JOHN DAN KEMP, CHIEF JUSTICE

[CV-20-136](#). Arkansans for Healthy Eyes, a Ballot Question Committee; and Vicki Farmer, Individually and on Behalf of Arkansans for Healthy Eyes v. John Thurston, in His Official Capacity as Secretary of State of the State of Arkansas; Safe Surgery Arkansas, a Ballot Question Committee; and Laurie Barber, M.D., Individually and on Behalf of Safe Surgery Arkansas, an Original Action. Petition granted in part and dismissed as moot in part. Mandate to issue immediately. Hart, J., dissents.

KAREN R. BAKER, JUSTICE

[CR-20-68](#). Charles G. Rodgers v. State of Arkansas, from Phillips County Circuit Court. Petitioner's pro se petition for writ of mandamus. Petition granted in part and denied in part.

COURTNEY RAE HUDSON, JUSTICE

[CR-19-299](#). Nicholas Addison v. State of Arkansas, from Poinsett County Circuit Court. Affirmed.

JOSEPHINE LINKER HART, JUSTICE

[CR-18-972](#). Howard Wood v. State of Arkansas, from Scott County Circuit Court. Affirmed.

RHONDA K. WOOD, JUSTICE

[CV-20-175](#). Arkansans for Healthy Eyes, a Ballot Question Committee; Vicki Farmer, Individually and on Behalf of Arkansans for Healthy Eyes; Matthew E. Jones, O.D.; Belinda R. Starkey, O.D.; Shane Laster, O.D.; Seth Laster, O.D.; Creighton A. Simmons, O.D.; William Yoos, O.D.; John C. Whitley; Seth Holifield; Billy Curl; and Johnny Morgan v. John Thurston, in His Official Capacity as Secretary of State; and Safe Surgery Arkansas, a Ballot Question Committee, from Pulaski County Circuit Court, Fifth Division. Appeal dismissed as moot. Hart, J., dissents.

ROBIN F. WYNNE, JUSTICE

[CV-20-136](#). Arkansans for Healthy Eyes, a Ballot Question Committee; and Vicki Farmer, Individually and on Behalf of Arkansans for Healthy Eyes v. John Thurston, in His Official Capacity as Secretary of State; Safe Surgery Arkansas, a Ballot Question

Committee; and Laurie Barber, M.D., Individually and on Behalf of Safe Surgery Arkansas, an Original Action. Petition dismissed as moot in part. Hart, J., dissents.

ARKANSAS SUPREME COURT

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PER CURIAM ORDERS

[CV-20-145](#). Citizens for a Better Pope County, a Local Option Ballot Question Committee; and James Knight, in His Individual Capacity v. Ben Cross, in His Official Capacity as County Judge of Pope County, Arkansas; Phillip Haney, Caleb Moore, Tim Whittenburg, Reuben Brown, Jackie Heflin, Jamie Jackson, Blake Tarpley, Doug Skelton, Bill Sparks, James Kusturin, Ray Black, Joseph Pearson, and Ernie Enchelmayer, in Their Official Capacities as Members of the Quorum Court of Pope County, Arkansas; and Cherokee Nation Businesses, LLC, from Pope County Circuit Court. Appellees' and intervenor's joint motion to dismiss appeal as moot. Appeal dismissed as moot. Special Justice Jim Spears concurs. Kemp, C.J., and Hart, J., not participating. See **per curiam** this date.

CV-20-529. John Thurston, in His Official Capacity as Secretary of State; and Leslie Rutledge, in Her Official Capacity as Attorney General v. Safe Surgery Arkansas, a Ballot Question Committee; and Dr. Laurie Barber, Individually and on Behalf of Safe Surgery Arkansas, from Pulaski County Circuit Court, Ninth Division. Petitioners' emergency petition for writ of mandamus, writ of prohibition, writ of certiorari, or supervisory writ, and request for expedited consideration; and petitioners' emergency motion for stay of temporary restraining order, and request for expedited consideration. Expedited consideration granted; petition denied. Emergency motion for stay of temporary restraining order moot. Hart, J., would deny expedited consideration. Womack, J., would grant a writ of prohibition preventing the circuit court from taking any further action pending appeal and grant motion for stay of temporary restraining order. (Proceedings of September 16, 2020)

CV-20-532. John Thurston, in His Official Capacity as Secretary of State; and Leslie Rutledge, in Her Official Capacity as Attorney General v. Safe Surgery Arkansas, a Ballot Question Committee; and Dr. Laurie Barber, Individually and on Behalf of Safe Surgery Arkansas, from Pulaski County Circuit Court, Ninth Division. Appellants' emergency motion for stay of temporary restraining order, and request for expedited consideration. Appellees' motion to dismiss appeal and to stay briefing schedule. Motion to dismiss appeal denied; stay of briefing schedule granted pending entry of a circuit court order granting or denying a preliminary injunction. Womack, J., would deny stay of briefing schedule. Expedited consideration granted; temporary stay of restraining order granted until entry of a circuit court order granting or denying a preliminary injunction. Hart, J., would deny expedited consideration. (Proceedings of September 16, 2020)

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PER CURIAM ORDERS

In Re Arkansas Access to Justice Commission. See [per curiam](#) this date.

The court reappoints Justice Robin F. Wynne, Arkansas Supreme Court, to the Arkansas Access to Justice Commission for a three-year term to expire on October 15, 2023.

In Re Arkansas Access to Justice Foundation, Inc. See [per curiam](#) this date.

J. Cliff McKinney, Esq., of Little Rock and J. Chad Owens, Esq., of Jonesboro are reappointed to the Board of Directors of Arkansas Access to Justice Foundation, Inc., for three-year terms to expire on April 30, 2023. The court thanks them for accepting reappointment to the board.