

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 23, 2021

PER CURIAM ORDERS

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

CV-20-363. (In the Matter of the Estate of John H. Haverstick, Deceased) John A. Haverstick and Jerry Haverstick v. Frances Haverstick, from Woodruff County Circuit Court. Hudson and Wynne, JJ., would deny.

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

CR-20-234. Seth Bradley Smith v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-20-301. Anthony Keith Lanos v. State of Arkansas, from Crittenden County Circuit Court. Petitioner's pro se petition for review.

CR-20-301. Anthony Keith Lanos v. State of Arkansas, from Crittenden County Circuit Court. Petitioner's pro se amended petition for review.

CR-20-349. Chadwick Staggs v. State of Arkansas, from Pope County Circuit Court.

CR-20-460. David Dewayne Price v. State of Arkansas, from Greene County Circuit Court.

CR-20-605. Jarmer Roberson v. State of Arkansas, from Drew County Circuit Court.

CR-20-644. Craytonia Badger v. State of Arkansas, from Columbia County Circuit Court.

CR-20-658. Kwasi McKinney v. State of Arkansas, from Columbia County Circuit Court.

CV-19-167. Robert A. Hall Revocable Trust, Robert A. Hall, Jr., Trustee; Dolores A. Hall Revocable Trust, Robert A. Hall, Jr., Trustee; Robert A. Hall, Jr.; and Susanne Campbell Hall v. U.S. Specialty Insurance Company; CMM Mechanical, LLC; American Contractors Indemnity Company; Freddy Cary Parks; and Susan Parks, from Pulaski County Circuit Court, Second Division.

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REVIEWS DENIED: (continued)

CV-19-949. EBF Partners, LLC, a Delaware Limited Liability Company d/b/a Everest Business Funding v. Letha's Pies, LLC, an Arkansas Limited Liability Company; Rhonda Glenn, an Individual; Timothy Glenn, an Individual; John Does 1–10; and John Does 11–20, from Washington County Circuit Court. Baker, Hudson, and Wynne, JJ., would grant.

CV-20-113. Brandon Mounce and Unique Guttering & Insulation, LLC v. Jeronimo Insulating, LLC, d/b/a G&S Insulating, from Washington County Circuit Court. Hudson, J., not participating.

CV-20-221. Juan D. Cruz v. State of Arkansas, from Monroe County Circuit Court.

CV-20-281. Kevin C. Baltz v. Bradley I. Baltz, from Benton County Circuit Court.

CV-20-316. Betty Charles v. James Shelton Ellis, Trustee of the James Shelton Ellis Trust CUI 9/2/1998, from Ouachita County Circuit Court.

CV-20-413. (In the Matter of the Guardianship of A.C., a Minor) Heather Galli v. Linda Jones and Vinton Jones, from Pulaski County Circuit Court, Fourteenth Division. Webb, J., would grant.

CV-20-443. Patrick Minahan v. Rachel Leigh Williams, from Pope County Circuit Court. Webb, J., would grant.

CV-20-458. Ben M. Branson and Joseph Alan Branson v. R. Lee Hiers, from Garland County Circuit Court. Webb, J., would grant.

CV-20-516. Pete Eldridge v. Pace Industries, LLC; Death and Permanent Total Disability Trust Fund; and Sentry Casualty Company, from the Arkansas Workers' Compensation Commission.

CV-20-521. Victoria Allen, Tina Pankey, and Donald Long v. Jesse Allen, from Randolph County Circuit Court. Webb, J., would grant.

CV-20-523. Jerry Jeffers v. Monica Wibbing, from Sebastian County Circuit Court, Greenwood District. Wynne, J., would grant.

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REVIEWS DENIED: (continued)

E-20-278. Carly Bright v. Director, Division of Workforce Services; and Catfish Hole Fayetteville, Inc., from the Arkansas Board of Review.

E-20-348. Betty Dillinger v. Director et al., from the Arkansas Board of Review.

E-20-354. Lisa Ann Cates v. Director, Division of Workforce Services, and University of Arkansas Community College at Morrilton, from the Arkansas Board of Review.

E-21-24. Nichole Tucker v. Director, Division of Workforce Services, and Bentonville Christian Academy, from the Arkansas Board of Review. Wood, J., would grant.

CR-21-27. Tacori Mackrell v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion for extension of time to file writ of certiorari for supplemental electronic record is granted.

CR-21-195. Robert Smith III v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for expansion of word-count limitations is granted.

CR-21-202. Randy William Gay v. State of Arkansas, from Garland County Circuit Court. Appellee's motion to file an enlarged brief is granted. Womack, J., would deny. Wood, J., not participating.

CV-20-82. Stark Ligon, as Executive Director of the Supreme Court Committee on Professional Conduct v. Teresa Lynette Bloodman, Attorney at Law, Arkansas Bar No. 2005055, an Original Action. Respondent's motion to withdraw filing is granted. Special Justices Jeffrey Hatfield and Rebecca Blass agree. Wood and Wynne, JJ., not participating.

CV-21-185. Nikita Lee Mahoney, Kimberly Ann Snodgrass, Christopher Snodgrass, Detrick Brandon, Tina Marie Phares, and Dazarious Braggs, Individually and on Behalf of All Others Similarly Situated v. Mark Derrick, in His Official Capacity as District Judge for the 23rd Judicial District of the State of Arkansas, from White County Circuit Court. Pro se motion of Don Hamrick for permission to file amicus curiae brief is denied.

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CV-21-263. Jordan Mason (Deceased) v. Wilson Brothers Lumber Company, LLC; Praetorian Insurance Co.; and Frank & Grady, LLLP, from the Arkansas Workers' Compensation Commission. Appellant's motion to transfer appeal to the Supreme Court is denied.

CV-21-421. Jimmy Hickey, Jr., in His Official Capacity as President Pro Tempore of the Arkansas Senate; and Matthew Shepherd, in His Official Capacity as Speaker of the Arkansas House of Representatives v. Veronica McClane, as Parent and Next Friend of Her Minor Children, Walter and Beckett McClane; Ashley Simmons, as Parent and Next Friend of Her Minor Children, August and Henry Simmons; the State of Arkansas, Acting Through the 93rd General Assembly; Hon. Asa Hutchinson, in His Official Capacity as Governor of the State of Arkansas; Barry Hyde, in His Official Capacity as the County Judge for Pulaski County; Eric Higgins, in His Official Capacity as Pulaski County Sheriff; Little Rock School District; and Marion School District, from Pulaski County Circuit Court, Sixth Division. Appellants' motion for expansion of page limit is granted. Baker and Hudson, JJ., would deny.

CR-20-60. Jerry W. McKee v. State of Arkansas, from Greene County Circuit Court. Petitioner's pro se motion for discovery treated as a motion for copies at public expense and denied.

CV-21-357. Saba K. Makkali v. State of Arkansas, from Jefferson County Circuit Court. Petitioner's pro se motion for completion, correction, and modification of the record is denied.

CV-21-377. Versace Pooh a/k/a Kenneth Waller v. Dexter Payne, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Petitioner's pro se motion for belated appeal is denied.

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In Re Arkansas Supreme Court Committee on Model Jury Instructions – Civil. See [per curiam](#) this date.

Karen Elizabeth “Betsy” Baker, Esq., of Little Rock; Circuit Judge Marcia Hearnberger of Hot Springs; and Philip McCorkle, Esq., of Arkadelphia are appointed to the Arkansas Supreme Court Committee on Model Jury Instructions – Civil for three-year terms to expire on September 30, 2024. The court extends its appreciation to these new members for their willingness to serve on this important committee.

The court designates Jamie Jones, a current member of the committee, to succeed Michelle Kaemmerling as chair. We thank Ms. Kaemmerling, whose term has expired, for her service and extend our appreciation to Ms. Jones for undertaking these duties.

The court also expresses its gratitude to the other outgoing members, Richard Donovan and Circuit Judge Doug Schrantz, for their years of valuable service to this committee.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-20-714. Alexius Macklin v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Eleventh Division.

CR-21-305. State of Arkansas v. Gregory Mason, from Pulaski County Circuit Court, Third Division. Appellant’s motion to file corrected brief.

CR-21-347. State of Arkansas v. Darrell Lamont Scott, from Pulaski County Circuit Court, Third Division. Entry of appearance of Terrence Cain on behalf of appellee.

CV-20-680. Detrick Croston v. Ebonie Croston, from Faulkner County Circuit Court. Petitioner’s pro se petition for writ of mandamus.

CV-21-421. Jimmy Hickey, Jr., in His Official Capacity as President Pro Tempore of the Arkansas Senate; and Matthew Shepherd, in His Official Capacity as Speaker of the Arkansas House of Representatives v. Veronica McClane, as Parent and Next Friend of Her Minor Children, Walter and Beckett McClane; Ashley Simmons, as Parent and Next Friend of Her Minor Children, August and Henry Simmons; The State of Arkansas, Acting Through the 93rd General Assembly; Hon. Asa Hutchinson, in His Official Capacity as Governor of the State of Arkansas; Barry Hyde, in His Official Capacity as the County Judge for Pulaski County; Eric Higgins, in His Official Capacity as Pulaski County Sheriff; Little Rock School District; and Marion School District, from Pulaski County Circuit Court, Sixth Division. Appellants’ unopposed motion to supplement the record.

CV-21-441. State of Arkansas; Jimmy Hickey, Jr., in His Official Capacity as President Pro Tempore of the Arkansas Senate; and Matthew Shepherd, in His Official Capacity as Speaker of the Arkansas House of Representatives v. Veronica McClane, as Parent and Next Friend of Her Minor Children, Walter and Beckett McClane; Ashley Simmons, as Parent and Next Friend of her Minor Children, August and Henry Simmons; Hon. Asa Hutchinson, in His Official Capacity as Governor of the State of Arkansas; Barry Hyde, in His Official Capacity as the County Judge for Pulaski County; Eric Higgins, in His Official Capacity as Pulaski County Sheriff; Little Rock School District; and Marion School District, from Pulaski County Circuit Court, Sixth Division. Appellants’ motion to proceed on partial record and to supplement the record.

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MOTIONS SUBMITTED

D-21-457. In Re Anne Roberts, Arkansas Bar No. 86021, an Original Action. Petition of Anne Roberts, Arkansas Bar No. 86021, for voluntary surrender of license (resignation).

CR-21-381. Charles Randle v. State of Arkansas, from Phillips County Circuit Court. Petitioner's pro se petition for writ of mandamus.

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CASES SUBMITTED

CV-19-62. Arkansas Department of Human Services v. Steven Mitchell, from IZARD County Circuit Court.

CV-19-63. Arkansas Department of Human Services v. Steven Mitchell, from IZARD County Circuit Court.

CV-21-201. Mahendran Mahadevan, D.V.M., Ph.D., M.B.A. v. Board of Trustees of the University of Arkansas System; University of Arkansas for Medical Sciences; Ed Fryar, Ph.D.; Steve Cox; Tommy Boyer; Sheffield Nelson; C.C. "Cliff" Gibson; Stephen Broughton M.D.; Kelly Eichler; Morrill Harriman; Ted Dickey; and John Goodson, from Pulaski County Circuit Court, Sixth Division.

CV-21-289. Cherokee Nation Businesses, LLC; and the Arkansas Racing Commission v. Gulfside Casino Partnership, from Pulaski County Circuit Court, Sixth Division.