

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 16, 2021

KAREN R. BAKER, JUSTICE

[CV-20-568](#). Mark Myers and Jane Doe v. Amy Fecher, in Her Official Capacity as Secretary of Transformation and Shared Services; and Arkansas Democrat-Gazette, Inc., from Pulaski County Circuit Court, Second Division. Reversed and remanded. Special Justice Emily White joins. Wood, J., concurs. Webb, J., dissents. Womack, J., not participating.

SHAWN A. WOMACK, JUSTICE

[CV-20-363](#). (In the Matter of the Estate of John Harold Haverstick, Deceased) John Haverstick and Jerry Haverstick v. Frances Haverstick, from Woodruff County Circuit Court. Affirmed; court of appeals opinion vacated. Kemp, C.J., and Baker, J., concur. Webb, J., dissents without opinion.

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PER CURIAM ORDERS

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

CV-20-699. Terry Wynne v. Liberty Trailer and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Hudson and Wynne, JJ., would deny. Webb, J., not participating.

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

CR-20-576. Tristan Tiarks v. State of Arkansas, from Benton County Circuit Court.

CV-19-70. Mullen, Inc.; Larry J. Steele; and Janet Steele v. J.R. Rogers and Michelle Rogers, from Lawrence County Circuit Court.

CV-19-278. Supha Xayprasith-Mays v. William R. Wallace, from Benton County Circuit Court. Womack, J., would grant.

CV-19-346. Ileshia Garner and Dezmon Gordon v. The Goodyear Tire and Rubber Company, from Phillips County Circuit Court. Wynne, J., would grant.

CV-19-415. Ann Cogswell and Sarah McNeil, as Special Administrators for the Estate of Margaret Faye Cogswell, Deceased v. Margaret Lynn Cooper, as Executrix and Administrator of the Estate of Mary Cloar, Deceased, from Pope County Circuit Court. Webb, J., would grant.

CV-20-112. (In the Matter of the Estate of David P. Shockley, Deceased) Tammy Davis and Alice Barclay v. Glenda Bassett, as Executor of the Estate of David P. Shockley, from Boone County Circuit Court.

CV-20-166. Haley Lewis v. Arkansas Department of Human Services, Division of Medical Services, Office of Long Term Care, from Bradley County Circuit Court. Wynne and Webb, JJ., would grant.

CV-20-365. Thomas Hartman v. State of Arkansas Sex Offender Assessment Committee, from Pulaski County Circuit Court, Sixth Division.

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REVIEWS DENIED: (continued)

CV-20-483. Progressive Eldercare Services-Drew, Inc., d/b/a Belle View Rehabilitation and Care Center; Progressive Eldercare Services, Inc.; Advanced Practice Solutions, LLC; Procure Therapy Services, LLC; Southern Administrative Services, LLC; Ponthie Holdings, LLC; Professional Nursing Solutions, LLC; CarePlus Staffing Services, LLC; Ross Ponthie; John Ponthie; and Marlene Hensley, in Her Capacity as Administrator of Belle View Estates Rehabilitation and Care Center v. Angela Everett, as Special Administrator of the Estate of Lavarn Turner, and on Behalf of the Wrongful Death Beneficiaries of Lavarn Turner, from Drew County Circuit Court. Kemp, C.J., and Wood, J., not participating.

CV-20-584. Innisfree Health and Rehab, LLC; Central Arkansas Nursing Centers, Inc.; Nursing Consultants, Inc., d/b/a Professional Nursing and Rehabilitation Services; Innisfree Estates, LLC; and Michael S. Morton v. Vicki Titus, as Special Administrator of the Estate of Helen Gale Gilmore, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Helen Gale Gilmore, from Benton County Circuit Court. Womack, J., would grant. Wood, J., not participating.

CV-20-591. Tracey Scott and Lorenzo Hampton, Individually and on Behalf of All Others Similarly Situated v. RevClaims, LLC; St. Bernards Hospital, Inc.; and ProAssurance Indemnity Company, Inc., from Craighead County Circuit Court, Western District.

CV-20-659. Crain Family Holdings, LLC; and Auto Dealership Partners, LLC v. Ford Motor Company and Arkansas Motor Vehicle Commission, from Saline County Circuit Court. Womack, J., would grant.

CV-21-63. Rudolph Underwood v. United Services Automobile Association General Indemnity Company; President/CEO Stuart B. Parker, in His Official Capacity; Ryan Milliken; Lacy Law Firm; Mike E. Mullally, Professional Conduct Board Member; Snellgrove, Langley, Culpepper, Williams & Mullally Law Firm; Arkansas Supreme Court Committee on Professional Conduct; Robert Stark Ligon, Jr., Director, in His Official Capacity; Brad Hendricks Law Firm; and Lloyd W. Kitchens, from Craighead County Circuit Court, Western District.

CV-21-386. (In the Matter of the Adoption of A.D., a Minor) Joshua Dicks v. Natasha Davis, from Baxter County Circuit Court.

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CV-21-581. John Thurston, in His Official Capacity as Secretary of State of the State of Arkansas; Sharon Brooks; Bilenda Harris-Ritter; William Luther; Charles Roberts; James Sharp; and J. Harmon Smith, in Their Official Capacities as Members of the Arkansas State Board of Election Commissioners v. The League of Women Voters of Arkansas; Arkansas United; Dortha Dunlap; Leon Kaplan; Nell Matthews Mock; Jeffery Rust; and Patsy Watkins, from Pulaski County Circuit Court, Fifth Division. Appellants' motion to expedite appeal and to impose expedited briefing schedule is granted. (Proceedings of December 15, 2021)

In Re Administrative Plans for Circuit Courts and District Courts. See [per curiam](#) this date.

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PER CURIAM ORDERS

In Re Appointments of Members to the Arkansas Supreme Court Committee on Professional Conduct. See [per curiam](#) this date.

Effective January 1, 2022, the following persons are appointed to the Arkansas Supreme Court Committee on Professional Conduct for six-year terms that expire on December 31, 2027, unless otherwise specified below:

Megan Beeson Turner of Little Rock (Panel A non-attorney member – statewide at large, appointment expires on December 31, 2023)

Elmer J. Ritchie of Little Rock (Panel B non-attorney member – statewide at large, reappointment to a second term)

Wendy R. Howerton of Fayetteville (Panel B attorney member – Third Congressional District, appointment to an initial term)

Robert Bridewell of Lake Village (Panel C attorney member – First Congressional District, appointment to an initial term)

The Court expresses its appreciation to each of these members for his or her willingness to serve on this important Committee. The Court also expresses its appreciation to the following members, whose service on the Committee and to the Court and the public is now completed:

Dr. Tanya R. Owen of Fayetteville (Panel A non-attorney member – statewide at large)

Hon. James S. Dunham of Russellville (Panel B attorney member – Third Congressional District)

Keith Chrestman of Jonesboro (Panel C attorney member – First Congressional District)

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In Re Supreme Court Committee on Automation. See [per curiam](#) this date.

Grace Gault, District Court Clerk, of Mena; Representative Robin Lundstrum, of Springdale; Honorable Sarah Capp, District Judge, of Ozark; Rashauna Norment, attorney, of Little Rock; and Honorable Rob Wyatt, Circuit Judge, of Pine Bluff are appointed to the Arkansas Supreme Court Committee on Automation for a three-year term to expire on December 31, 2024. We reappoint Candace Edwards, Craighead County Circuit Clerk, of Jonesboro for a three-year term to expire on December 31, 2024.

The court expresses its gratitude to the following outgoing members for their years of valuable service to this commission: Dena Ross, District Court Clerk, of Mena; Scott Braden, Assistant Federal Public Defender, of Little Rock; James Kingsbury, Arkansas State Police; and Honorable Alex Guynn, Circuit Judge, of Pine Bluff.