

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 14, 2022

JOHN DAN KEMP, CHIEF JUSTICE

[CV-21-498](#). Bentonville School District; Dr. Debbie Jones, Superintendent, in Her Official Capacity; Eric White, School Board President, in His Official Capacity; Matt Burgess, Board Member, in His Official Capacity; Kelly Carlson, Board Member, in His Official Capacity; Brent Leas, Board Member, in His Official Capacity; Willie Cowgur, Board Member, in His Official Capacity; Joe Quinn, Board Member, in His Official Capacity; and Jennifer Faddis, Board Member, in Her Official Capacity v. Matt Sitton, Matthew Bennett, and Elizabeth Bennett, from Benton County Circuit Court. Reversed and remanded. Special Justice Howard W. Brill joins. Womack, J., and Special Justice Howard W. Brill concur. Webb, J., dissents. Wood, J., not participating.

COURTNEY RAE HUDSON, JUSTICE

[CV-21-485](#). Michael Henderson v. Dexter Payne, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Affirmed. Wood and Webb, JJ., concur in part and dissent in part.

RHONDA K. WOOD, JUSTICE

[CV-21-517](#). Leslie Rutledge, Individually and as Attorney General of the State of Arkansas v. Pratt Cates Rimmel, Jr.; Gale Stewart; Glen Hooks; Robert B Leflar; Elaine Dumas; Michael B. Dougan; Harvey Joe Sanner; and Jackie Simpson, from Pulaski County Circuit Court, Sixteenth Division. Reversed and dismissed in part; dismissed in part; and remanded. Motion to strike denied. Special Justice John R. Scott joins. Womack, J., concurs. Baker and Wynne, JJ., concur in part and dissent in part. Webb, J., not participating.

BARBARA W. WEBB, JUSTICE

[CR-93-1071](#). Randall Thomas McArty v. State of Arkansas, from Clark County Circuit Court. Petitioner's pro se fourth petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis and motion for appointment of counsel. Petition and motion denied. Wood, J., concurs.

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 14, 2022

PER CURIAM ORDERS

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

CR-00-587. Leonard Noble v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District.

CR-17-85. Ronald Anthony Antoniello v. State of Arkansas, from Miller County Circuit Court.

CR-19-901. Nicholas Matthew Lewondowski v. State of Arkansas, from Garland County Circuit Court.

CV-20-728. KBX, Inc.; Steven Michael Keith, Sr., Individually; Steven Michael Keith, Jr., Individually; and Jeffrey Shay Sebree, Individually v. Zero Grade Farms, a Partnership, also d/b/a Isbell Farms; Mark Isbell, Individually; Chris Isbell, Individually; Shane Isbell, Individually; Judy Isbell, Individually; Jeremy Jones, Individually; K&K Farm Service, Inc., also d/b/a K&K Farm Services; Edward Schafer & Sons, a Partnership; Ronald Schafer and Roger Schafer, as Trustees of the Edward Burnard Schafer Q-TIP Trust; Ronald Schafer, Individually; Dee Anne Schafer, Individually; Clifford Schafer, Individually; Rachel Schafer, Individually; Roger Schafer, Individually; Pamela Schafer, Individually; Donald Schafer, Individually; Donna Schafer, Individually; Gary Hardke Farms, a Partnership; Gary Hardke, Individually; Melodie Hardke, Individually; and Bigfoot AG, Inc., from Lonoke County Circuit Court.

CR-21-202. Randy William Gay v. State of Arkansas, from Garland County Circuit Court. Appellant's motion to stay mandate is denied. Special Justice Tim Snively agrees. Hudson, Wynne, and Webb, JJ., would grant. Wood, J., not participating.

CR-21-364. Marvin Stanton v. State of Arkansas, from Miller County Circuit Court. Appellant's motion for clarification of ruling is granted. Special Justice John Fogleman agrees. Womack, J., would deny. Kemp, C.J., not participating.

CR-22-151. Terry Break v. State of Arkansas, from Boone County Circuit Court. Appellant's motion to seal portions of the record is granted.

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 14, 2022

PER CURIAM ORDERS

CR-22-151. Terry Break v. State of Arkansas, from Boone County Circuit Court. Motion of Cody W. Dowden to be relieved as counsel, stay briefing schedule, and appoint counsel is granted.

CV-21-458. Robert Steinbuch v. University of Arkansas a/k/a University of Arkansas-Little Rock; the Trustees of the University of Arkansas; Michael Schwartz, in His Official and Personal Capacity; Theresa Beiner, in Her Official and Personal Capacity; JoAnn Maxey, in Her Official Capacity; John M.A. DiPippa, in His Official Capacity; Velmer Burton, in His Official Capacity; and Terri Hollingsworth, in Her Official Capacity as Pulaski County Clerk, from Pulaski County Circuit Court, Sixth Division. Motion of Amanda Simmons to withdraw as counsel for separate appellee Terri Hollingsworth, in Her Official Capacity as Pulaski County Clerk is granted. Special Justices D. Chris Gardner and Doug Schrantz agree. Wood and Wynne, JJ., not participating.

CV-21-592. Eddie S. Watkins v. Raymond L. Adams, Sr., from Hot Spring County Circuit Court. Petitioner's pro se petition for writ of mandamus is denied. Webb, J., would order a response to the pro se petition for writ of mandamus.

CV-22-164. Zachery Scott Keese v. Lisa C. Ballard, in Her Official Capacity as Executive Director of the Arkansas Supreme Court Committee on Professional Conduct, an Original Action. Petitioner's pro se petition to proceed in forma pauperis is denied.

D-22-156. In Re Celia S. Liner, Arkansas Bar No. 90183, an Original Action. Petition of Celia S. Liner, Arkansas Bar No. 90183, for voluntary surrender of license (resignation) is denied. Baker, Hudson, and Webb, JJ., would grant.

E-21-272. Alisa Nelson v. Director et al., from the Arkansas Board of Review. Petitioner's pro se petition to waive filing fee is denied.

CR-12-803. Duane W. Spearman v. State of Arkansas, from Chicot County Circuit Court. Petitioner's pro se motion for record and trial transcript at public expense is granted. Kemp, C.J., and Wood and Wynne, JJ., would deny.

CR-22-158. Edmond McClinton v. State of Arkansas, from Jefferson County Circuit Court. Petitioner's pro se motion for rule on clerk is denied.

ARKANSAS SUPREME COURT
PROCEEDINGS OF APRIL 14, 2022

PER CURIAM ORDERS

CV-21-610. Stanley Norton/Mahmoud v. State of Arkansas, from Jefferson County Circuit Court. Appellant's pro se motion for extension of brief time is granted.

In Re Proposed Amendments to Administrative Order No. 10. See [per curiam](#) this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 14, 2022

MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-21-434. Tracy Johnson, Gina Rambo, James R. “Rick” Bright, Greg Moon, and Karen Pryor v. Carol Wright, Individually and in Her Official Capacity as Past Chairman and Current and Past Member of the Eureka Springs City Advertising and Promotion Commission; Jeff Carter, Individually and in His Official Capacity as a Member and Current Chairman of the Eureka Springs City Advertising and Promotion Commission; James DeVito, Individually and in His Official Capacity as a Member [of] the Eureka Springs City Advertising and Promotion Commission; Melissa Green, Individually and in Her Official Capacity as a Member [of] the Eureka Springs City Advertising and Promotion Commission; Harry Meyer, Individually and in His Official Capacity as a Member [of] the Eureka Springs City Advertising and Promotion Commission; Patrick Burnett, Individually and Ostensibly in His Official Capacity as an Apparent Member [of] the Eureka Springs City Advertising and Promotion Commission; the Eureka Springs City Advertising and Promotion Commission; the City of Eureka Springs, Arkansas; Robert D. “Butch” Berry, Individually and as Mayor of the City of Eureka Springs, Arkansas; Kim Stryker, Individually and in Her Official Capacity as Chief Administrative Assistant to Mayor Butch Berry; State Auto Mutual Insurance Company; and Philadelphia Indemnity Insurance Company, from Carroll County Circuit Court, Western District.

CR-22-69. Cordale Stacy v. State of Arkansas, from St. Francis County Circuit Court. Appellant’s petition for writ of certiorari to correct the hearing record as to exhibits.

CR-22-172. Thomas Hartley v. State of Arkansas, from Benton County Circuit Court. Appellant’s petition for writ of certiorari to complete the record.

CV-21-388. Reginald Dunahue v. Aundrea Culclager, Warden, Arkansas Department of Correction; Kennie Bolden, Security Warden; Captain Kenneth Starks; Sgt. Daryl James; and Marshall Reed, Deputy Director, from Lincoln County Circuit Court. Appellant’s pro se motion for reconsideration.

CV-21-616. Zachary Plunkett v. Cheryl Vosburg, in Her Capacity as Special Administrator of the Estate of Howell Griffin, deceased, from Sebastian County Circuit Court, Fort Smith District. Appellant’s motion to request certification to Arkansas Supreme Court and to transfer case to Arkansas Supreme Court.

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 14, 2022

MOTIONS SUBMITTED

CR-20-283. Damien D. Ford v. State of Arkansas, from Miller 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-21-415. Cleveland Evans v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Petitioner's pro se motion for rule on clerk.

CR-21-415. Cleveland Evans v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Petitioner's pro se amended petition for writ of mandamus and/or for rule on clerk.

CR-21-607. Mark Robinson v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion for extension of time to file brief.

CR-22-157. Albert Bernard Mitchell v. State of Arkansas, from Garland County Circuit Court. Petitioner's pro se petition for writ of mandamus.

CV-22-162. Terrick Nooner v. Ray Hobbs and James Gibson, from Pulaski County Circuit Court, Twelfth Division. Petitioner's pro se motion for rule on clerk.

CV-22-162. Terrick Nooner v. Ray Hobbs and James Gibson, from Pulaski County Circuit Court, Twelfth Division. Petitioner's pro se amended motion for rule on clerk.

CV-22-162. Terrick Nooner v. Ray Hobbs and James Gibson, from Pulaski County Circuit Court, Twelfth Division. Petitioner's pro se motion to disqualify the Clerk of the Arkansas Supreme Court.

CV-22-162. Terrick Nooner v. Ray Hobbs and James Gibson, from Pulaski County Circuit Court, Twelfth Division. Petitioner's pro se amended motion to disqualify the Clerk of the Arkansas Supreme Court.

ARKANSAS SUPREME COURT
PROCEEDINGS OF APRIL 14, 2022

CASES SUBMITTED

CR-21-195. Robert Smith III v. State of Arkansas, from Faulkner County Circuit Court.
Orally argued.

CR-21-27. Tacori Mackrell v. State of Arkansas, from Faulkner County Circuit Court.