

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 12, 2022

PER CURIAM ORDERS

REHEARING DENIED: Petition for rehearing was denied today in the below listed case.

CR-20-581. Zachery Keesee v. State of Arkansas, from Faulkner County Circuit Court. Baker, Hudson, and Wynne, JJ., would grant.

CR-99-593. Corey Roshan Harris v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Notice of entry of appearance of Theodis N. Thompson, Jr., as counsel for appellant is noted.

CR-00-785. Demarco Raynor v. State of Arkansas, from Lonoke County Circuit Court. Entry of appearance of Michael Kaiser as counsel for appellant is noted.

CV-20-439. Curis Pharmacy (Sentrix Pharmacy and Discount, LLC), OS02705; and Kenneth Zielinski, PD10077 v. Arkansas Board of Pharmacy, from Pulaski County Circuit Court, Ninth Division. Appellants' motion for reconsideration is denied. Wood, J., would dismiss.

CV-20-733. Larry Phifer v. Janet Ouellette, Personal Representative of the Estate of Ruth Cowin; Richard Cowin; Margot Cowin; Anadarko E&P Company, L.P., a Delaware Partnership; Anadarko Land Corp., a Nebraska Corporation; Chesapeake Exploration, LLC, an Oklahoma Limited Liability Company; Southwestern Energy Company, a Delaware Corporation; and BHP Billiton Petroleum (Fayetteville), LLC, a Delaware Limited Liability Company, from White County Circuit Court. Appellees' motion to strike and dismiss petition for review is denied.

CV-22-40. Terri L. Alpe v. Federal National Mortgage Association, from the United States District Court, Eastern District of Arkansas. Appellee's motion to supplement the record is granted.

CV-22-164. Zachery Scott Keesee 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 motion for rule on clerk is denied.

CV-22-164. Zachery Scott Keesee 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 motion for leave to amend previously filed motion for rule on clerk is denied. Baker, Hudson, and Wood, JJ., would moot.

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CV-22-188. (In the Matter of the Estate of Eunice Faye Smith, Deceased) Lloyd Smith and Derrell Smith v. Martin Smith, from Little River County Circuit Court. Certification to the Supreme Court of appellants’ motion to consolidate appeal records is granted.

CV-22-190. 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. Appellees’ emergency motion for accelerated proceedings and petition for writ of certiorari to complete the record. Expedited consideration granted; petition for writ of certiorari to complete the record denied. (Proceedings of May 6, 2022)

CV-22-220. Patrick Fraley v. Lisa C. Ballard, in Her Capacity as Executive Director of the Arkansas Supreme Court Committee on Professional Conduct, an Original Action. Petitioner’s petition for writ of mandamus is denied. Kemp, C.J., and Wood, J., would dismiss as moot. Womack, J., would moot.

CR-05-472. Wallace A. Gardner v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Petitioner’s pro se motion to recall the mandate is denied.

CR-22-187. Wesley Jefferson v. State of Arkansas, from St. Francis County Circuit Court. Petitioner’s pro se motion for belated appeal is granted.

In Re Arkansas Supreme Court Committee on Civil Practice – Adoption of Revised Rule 4-6 of the Rules of the Supreme Court and Court of Appeals of the State of Arkansas. See [per curiam](#) this date.

In Re Arkansas Supreme Court Committee on Civil Practice – Adoption of Revised Rule 28 of the Rules of Civil Procedure and Board of Certified Court Reporter Examiners – Adoption of Revised Section 22 of the Regulations of the Board of Certified Court Reporter Examiners. See [per curiam](#) this date.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-21-387. Joe E. Morgan v. Dexter Payne, Director, Arkansas Department of Correction, from Lincoln County Circuit Court.

CR-21-78. Demarcus Donnell Parker v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion to file substituted appellant's brief.

CR-22-192. Rakeem Harris v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Entry of appearance of Maryann Furrer on behalf of appellant.

CR-22-192. Rakeem Harris v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion to substitute counsel.

CR-22-219. State of Arkansas v. Tyler Pate, from Faulkner County Circuit Court. Entry of appearance of Robby Golden as counsel for appellee.

CR-22-253. Ricky Lee Burnett v. State of Arkansas, from Benton County Circuit Court. Petitioner's petition for writ of certiorari and petition for writ of habeas corpus.

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. Appellants' joint motion for taxation of costs on appeal and incorporated memorandum of authorities.

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MOTIONS SUBMITTED

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. Appellants' joint motion to withdraw and incorporated memorandum of authorities.

CV-22-188. (In the Matter of the Estate of Eunice Faye Smith, Deceased) Lloyd Smith and Derrell Smith v. Martin Smith, from Little River County Circuit Court. Appellants' motion to consolidate records.

CV-22-248. Preston P. Millbrooks v. State of Arkansas, Office of Child Support Enforcement, from St. Francis County Circuit Court. Petitioner's pro se petition for leave to proceed in forma pauperis.

CR-21-425. Qatonious Sirkaneo a/k/a Walter Allen Brooks v. State of Arkansas, from St. Francis County Circuit Court. Appellant's pro se motion to file belated reply brief.

CR-22-193. Kwasi McKinney v. State of Arkansas, from Columbia County Circuit Court. Petitioner's pro se petition for writ of mandamus.

CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion to compel circuit clerk and court reporter to produce record.

CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for injunction or mandamus directed to circuit clerk and court reporter to produce record.

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MOTIONS SUBMITTED

CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant’s pro se motion for injunction or mandamus directed to State, county, municipal officials, or circuit court to produce record.

CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant’s pro se motion for injunction or mandamus directed to State, county, municipal officials, or circuit court.

CV-21-120. Jeffrey Brown v. State of Arkansas, from Lincoln County Circuit Court. Petitioner’s pro se motion for belated appeal.

CV-21-280. Dewayne Boykins v. State of Arkansas, from Jefferson County Circuit Court. Appellee’s motion to dismiss appeal.

CV-22-183. Charles Edward Jones, Sr. v. State of Arkansas and Dexter Payne, Director, Arkansas Division of Correction, from Chicot County Circuit Court. Petitioner’s pro se petition for writ of mandamus.

CV-22-243. Terrick Nooner v. Terry Hollingsworth, Circuit Clerk; Chauncey Durham, Deputy Clerk; Leslie Rutledge, Attorney General; Hon. Chris Piazza, Circuit Judge; Hon. Alice Gray, Circuit Judge; John Felts, Arkansas Board of Corrections; Lisa Mills; and Melody Barnett, from Pulaski County Circuit Court, Sixteenth Division. Petitioner’s pro se motion for rule on clerk.

CV-22-243. Terrick Nooner v. Terry Hollingsworth, Circuit Clerk; Chauncey Durham, Deputy Clerk; Leslie Rutledge, Attorney General; Hon. Chris Piazza, Circuit Judge; Hon. Alice Gray, Circuit Judge; John Felts, Arkansas Board of Corrections; Lisa Mills; and Melody Barnett, from Pulaski County Circuit Court, Sixteenth Division. Petitioner’s pro se amended motion for rule on clerk.

ARKANSAS SUPREME COURT

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CASES SUBMITTED

CR-20-403. Tracy Duane Wright v. State of Arkansas, from Benton County Circuit Court.

CR-21-539. Robert Lee Williams, Jr. v. State of Arkansas, from Nevada County Circuit Court.

CR-21-623. Lonnie Dolphus Strawhacker v. State of Arkansas, from Washington County Circuit Court.

CV-21-599. Arkansas Department of Finance and Administration; Arkansas Alcoholic Beverage Control Division; and Arkansas Medical Marijuana Commission v. Carroll County Holdings, Inc., d/b/a Eureka Green, from Pulaski County Circuit Court, Sixth Division.

CV-21-624. Philip Palade, Gregory Borse, and J. Thomas Sullivan, on Behalf of Themselves and All Others Similarly Situated v. Board of Trustees of the University of Arkansas System; Ed Fryar, Ph.D., in His Official Capacity as Trustee; Steve Cox, in His Official Capacity as Trustee; Tommy Boyer, in His Official Capacity as Trustee; Sheffield Nelson, in His Official Capacity as Trustee; C.C. Gibson, in His Official Capacity as Trustee; Stephen Broughton, M.D., in His Official Capacity as Trustee; Kelly Eichler, in Her Official Capacity as Trustee; Morrill Harriman, in His Official Capacity as Trustee; Mark Waldrip, in His Official Capacity as Trustee; and John Goodson, in His Official Capacity as Trustee, from Pulaski County Circuit Court, Seventeenth Division.

CR-19-421. Robert Woodward v. State of Arkansas, from Chicot County Circuit Court.

CR-21-425. Qatonious Sirkaneo a/k/a Walter Allen Brooks v. State of Arkansas, from St. Francis County Circuit Court.

CV-21-314. Randall Thomas McArty v. Mary Claire McClaurin, from Pulaski County Circuit Court, Twelfth Division.

CV-21-430. Robert Fischer v. Dexter Payne, Director, Arkansas Department of Correction, from Hot Spring County Circuit Court.

CV-21-479. James Middlebrooks v. Solomon Graves, Secretary, Community Corrections; and John Felts, Chairman, Arkansas Parole Board, from Jefferson County Circuit Court.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 12, 2022

CASES SUBMITTED

CV-22-16. Tony Franklin Wilson v. State of Arkansas, from Jefferson County Circuit Court.