

ARKANSAS SUPREME COURT

PROCEEDINGS OF JANUARY 19, 2023

PER CURIAM ORDERS

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

CR-22-279. Markus Gentry v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-93-284. Saba K. Makkali v. State of Arkansas, from Jefferson County Circuit Court. Petitioner's pro se fifth petition for permission to file a petition for writ of error coram nobis is denied.

CR-22-590. Kevonce Lamont Ephriam v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion for leave to file a belated brief is granted. Baker, J., would deny. Womack, J., would moot.

CR-22-670. Damien Echols v. State of Arkansas, from Crittenden County Circuit Court. Entry of appearance of John R. Elrod on behalf of appellant is noted. Kemp, C.J., not participating.

CR-22-670. Damien Echols v. State of Arkansas, from Crittenden County Circuit Court. Entry of appearance of Kerri E. Kobbeman on behalf of appellant is noted. Kemp, C.J., not participating.

CR-22-696. Fredrick Jones v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant's petition for writ of certiorari to complete the record on appeal is granted.

CR-22-727. State of Arkansas v. Jon Comstock, from Benton County Circuit Court. Petitioner's petition for writ of certiorari is denied. Wynne, J., would take as a case.

CR-22-727. State of Arkansas v. Jon Comstock, from Benton County Circuit Court. Respondent's motion to take as case is denied. Wynne, J., would grant.

CV-22-45. Nathan Jennings v. Jessica Jennings, from Union County Circuit Court. Certification from the court of appeals is granted. Webb, J., would deny.

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CV-22-824. Jeremy Y. Hutchinson v. Anne Hutchinson, from Pulaski County Circuit Court, Twelfth Division. Petitioner’s emergency petition for writ of certiorari, habeas corpus, and motion to stay pending appeal. Petitioner’s motion to supplement the record. Expedited consideration granted; emergency petition for writ of certiorari, habeas corpus, and motion to stay pending appeal is denied. Womack and Webb, JJ., would deny petition for writ of habeas corpus without prejudice. Hudson, Womack, and Webb, JJ., would deny motion to stay without prejudice for failure to file a notice of appeal. Wood, J., would grant motion to stay. Motion to supplement the record is denied. Wood, Womack, and Webb, JJ., would grant. (Proceedings of January 6, 2023)

D-22-740. In Re Jennifer Elayne Jackson, Arkansas Bar No. 2005164, an Original Action. Petition of Jennifer Elayne Jackson, Arkansas Bar No. 2005164, for voluntary surrender of license (resignation) is granted.

D-22-752. In Re Robin C. Smith, Arkansas Bar No. 2005193, an Original Action. Petition of Robin C. Smith, Arkansas Bar No. 2005193, for voluntary surrender of license (resignation) is granted.

D-22-754. In Re Allan L. Ward II, Arkansas Bar No. 98047, an Original Action. Petition of Allan L. Ward II, Arkansas Bar No. 98047, for voluntary surrender of license (resignation) is granted.

D-22-755. In Re Anne L. Austin, Arkansas Bar No. 95123, an Original Action. Petition of Anne L. Austin, Arkansas Bar No. 95123, for voluntary surrender of license (resignation) is granted.

CR-22-747. Mary Louise Robinson v. State of Arkansas, from Ashley County Circuit Court. Petitioner’s pro se motion for belated appeal is denied.

CV-22-684. Jason Allen Farmer v. Dexter Payne, Director, Arkansas Department of Correction, from Hot Spring County Circuit Court. Appellant’s pro se motion for access to the record on appeal is granted.

CV-22-684. Jason Allen Farmer v. Dexter Payne, Director, Arkansas Department of Correction, from Hot Spring County Circuit Court. Appellant’s pro se motion for extension of time to file brief is granted.

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CV-22-750. Edmond McClinton v. Arkansas Judicial Discipline and Disability Commission, from Arkansas Judicial Discipline and Disability Commission. Petitioner's pro se motion for leave to proceed in forma pauperis is denied.

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

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CV-21-557. Keith Gibson, Marie Holder, Alec Farmer, Philip Taldo, and Robert S. Moore, Jr., as Members of the Arkansas State Highway Commission; Lorie Tudor, Director of the Arkansas Department of Transportation; Arkansas Department of Transportation; Asa Hutchinson, Governor of the State of Arkansas; Larry W. Walther, Director of Arkansas Department of Finance and Administration; Andrea Lea, Auditor of the State of Arkansas; and Dennis Milligan, Treasurer of the State of Arkansas v. Shelly Buonauto; Mary Weeks; Verlon Abrams; and Sarah B. Thompson, from Pulaski County Circuit Court, Sixteenth Division.

CR-14-833. Robert Holland v. State of Arkansas, from Lincoln County Circuit Court. Petitioner's application to reinvest jurisdiction in the circuit court to consider a petition for writ of error coram nobis.

CR-14-833. Robert Holland v. State of Arkansas, from Lincoln County Circuit Court. Petitioner's motion to file exhibits under seal.

CR-14-833. Robert Holland v. State of Arkansas, from Lincoln County Circuit Court. Petitioner's motion to take application to reinvest jurisdiction to consider a petition for coram nobis as a case.

CR-20-143. Donald Adams v. State of Arkansas, from Benton County Circuit Court. Motion of Craig Lambert for leave to withdraw as counsel for appellant and for clarification regarding access to sealed record.

CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for copy of the opinion of the Arkansas Supreme Court.

CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion to re-new motion requesting oral argument.

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CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for the Court to provide access to appellant's brief and reply brief.

CR-22-615. Marlon Smith v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for extension of time to complete the record.

CR-22-677. Zorel Tilson v. State of Arkansas, from Garland County Circuit Court. Petitioner's petition for writ of certiorari to complete the record.

CR-22-776. Jason Bridges v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion of Fernando Padilla to be relieved as attorney for appellant and stay briefing schedule.

CR-23-1. Justin Howard Petty v. State of Arkansas, from Miller County Circuit Court. Motion of David L. Dunagin to withdraw and appoint new attorney.

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. Appellants' motion requesting that this court enforce its issuance of a writ of certiorari to complete electronic record.

CV-22-254. State of Arkansas v. Veronica McClane, as Parent and Next Friend of Her Minor Children; Ashley Simmons, as Parent and Next Friend of Her Minor Children; Asa Hutchinson, in His Official Capacity as Governor of Arkansas; Barry Hyde, in His Official Capacity as 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. Petition of David R. Matthews and Sarah L. Waddoups to withdraw as counsel for separate appellee former Governor Asa Hutchinson, in His Official Capacity.

CV-22-521. Chris P. Corbitt, Esq. v. Arkansas Game and Fish Commission, and Austin Booth, Esq., in His Official Capacity as Director of the Arkansas Game and Fish Commission, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion to file belated reply brief.

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CV-22-635. Monsanto Company v. Cornelius Kilgore, Labommie Kilgore, Walmart, Inc., and Wal-Mart Stores Arkansas, LLC, from Drew County Circuit Court. Motion of the United States Chamber of Commerce, the American Tort Reform Association, and the Pharmaceutical Research and Manufacturers of America for permission to file brief amicus curiae in support of petitioner.

CV-22-635. Monsanto Company v. Cornelius Kilgore, Labommie Kilgore, Walmart, Inc., and Wal-Mart Stores Arkansas, LLC, from Drew County Circuit Court. Motion of the Federation of German Industries and the German Chamber of Commerce and Industry for leave to file amicus brief.

CV-22-764. (In the Matter of the Guardianship of Minor Children) Christopher Paschall, John Paschall, and Mary Paschall v. Jeremy Paschall and Crystal Paschall, from Washington County Circuit Court. Petitioner's pro se motion for leave to proceed in forma pauperis and motion for appointment of counsel.

CV-22-795. (In the Matter of the Estate of Michael McAllister, Deceased) Alexis McAllister v. Terry McAllister, from Benton County Circuit Court. Petitioner's petition for permission to appeal.

CV-23-13. Bob Robbins v. Judy LeMay, from Clark County Circuit Court. Petitioner's petition for writ of mandamus.

D-22-802. In Re David M. Littlejohn, Arkansas Bar No. 2008038, an Original Action. Petition of David M. Littlejohn, Arkansas Bar No. 2008038, for surrender of license.

D-23-15. In Re Douglas A. Jorden, Arkansas Bar No. 76171, an Original Action. Petition of Douglas A. Jorden, Arkansas Bar No. 76171, for voluntary surrender of license (resignation).

D-23-23. In Re Mary C. Moll, Arkansas Bar No. 80104, an Original Action. Petition of Mary C. Moll, Arkansas Bar No. 80104, for voluntary surrender of license (resignation).

D-23-24. In Re Danielle J. Palm, Arkansas Bar No. 2005201, an Original Action. Petition of Danielle J. Palm, Arkansas Bar No. 2005201, for voluntary surrender of license (resignation).

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D-23-25. In Re Martha Jett McAlister, Arkansas Bar No. 88133, an Original Action. Petition of Martha Jett McAlister, Arkansas Bar No. 88133, for voluntary surrender of license (resignation).

CR-22-221. Parnell R. May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant’s pro se motion to stay appeal.

CR-22-524. Allen Phillips v. State of Arkansas, from Jefferson County Circuit Court. Appellee’s motion to dismiss appeal.

CR-22-617. Sharvelt Mister v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant’s pro se motion to file belated appeal treated as a motion to file belated brief.

CR-22-626. Jackie Breeden, Jr. v. State of Arkansas, from Benton County Circuit Court. Petitioner’s pro se amended petition for writ of mandamus.

CR-22-688. Duane Gonder v. State of Arkansas, from Drew County Circuit Court. Petitioner’s pro se petition for writ of mandamus.

CR-22-694. Rodney L. Baker v. State of Arkansas, from Benton County Circuit Court. Petitioner’s pro se petition for writ of mandamus.

CR-22-731. Luther Wayne Dillon v. State of Arkansas, from Boone County Circuit Court. Appellant’s pro se motion for extension of time to file brief.

CR-22-731. Luther Wayne Dillon v. State of Arkansas, from Boone County Circuit Court. Appellant’s pro se motion for appointment of counsel.

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CV-22-757. Malik Muntaqim v. Dexter Payne, Director, Arkansas Department of Correction; Raymond Naylor, Disciplinary Hearing Administrator, Arkansas Department of Correction; Nurzuhal Faust, Warden, Arkansas Department of Correction; Wendy Kelley, Director, Arkansas Department of Correction; Daniel Golden, Disciplinary Hearing Officer, Arkansas Department of Correction; and Arkansas Department of Correction Ouachita River Unit employees Captain Joshua Crosby; Corporal Aaron T. Hisek; Sergeant Cheiana Sykes; and Corporal Esmeralda Fraire, in Their Official and Individual Capacities, from Jefferson County Circuit Court. Petitioner's pro se petition for writ of mandamus.

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CASES SUBMITTED

CR-21-615. Jeremy Lewis v. State of Arkansas, from Clark County Circuit Court.

CR-22-120. Eric Gillette v. City of Fort Smith, Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-22-356. Philip Wallace v. State of Arkansas, from Washington County Circuit Court.

CV-22-254. State of Arkansas v. Veronica McClane, as Parent and Next Friend of Her Minor Children; Ashley Simmons, as Parent and Next Friend of Her Minor Children; Asa Hutchinson, in His Official Capacity as Governor of Arkansas; Barry Hyde, in His Official Capacity as 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.

CV-22-340. Jamie Darnell Lee v. Dexter Payne, Director, Arkansas Department of Correction, from Lincoln County Circuit Court.

Opinions are available on the internet at

<http://arcourts.gov>