

ARKANSAS SUPREME COURT

PROCEEDINGS OF MARCH 9, 2023

JOHN DAN KEMP, CHIEF JUSTICE

[CV-21-120](#). Jeffrey Brown v. State of Arkansas, from Lincoln County Circuit Court. Affirmed. Webb, J., concurs.

[CV-22-194](#). Bobby J. Gibbs v. Dexter Payne, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Affirmed.

[CV-22-283](#). Cenark Investment Group, LLC v. Larry Walther, Secretary of the Arkansas Department of Finance and Administration, from Pulaski County Circuit Court, Sixth Division. Reversed and remanded. Womack, J., concurs without opinion. Baker, Wood, and Webb, JJ., dissent.

COURTNEY RAE HUDSON, JUSTICE

[CR-22-547](#). Serandon Starling v. State of Arkansas, from Miller County Circuit Court. Affirmed.

RHONDA K. WOOD, JUSTICE

[CR-22-580](#). Vincent Hussey v. State of Arkansas, from Drew County Circuit Court. Affirmed.

ROBIN F. WYNNE, JUSTICE

[CR-22-496](#). Travis Price v. State of Arkansas, from Jefferson County Circuit Court. Affirmed.

[CV-22-281](#). A-1 Recovery Towing and Recovery, Inc. v. Larry Walther, Secretary of the Arkansas Department of Finance and Administration, from Pulaski County Circuit Court, Sixth Division. Reversed and remanded. Womack, J., concurs without opinion. Baker, Wood, and Webb, JJ., dissent.

SHAWN A. WOMACK, JUSTICE

[CR-22-571](#). Nickol Carter v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Affirmed.

BARBARA W. WEBB, JUSTICE

[CR-22-187](#). Wesley Jefferson v. State of Arkansas, from St. Francis County Circuit Court. Affirmed.

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PER CURIAM ORDERS

CR-22-574. Jonathan Granger v. State of Arkansas, from Crittenden County Circuit Court. Pro se appeal. Trial court's order denying petition for writ of error coram nobis affirmed. (Proceedings of March 2, 2023)

CR-22-607. Scott Riddle v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Pro se appeal. Trial court's order denying petition for writ of error coram nobis affirmed. (Proceedings of March 2, 2023)

In Re Arkansas Judges and Lawyers Assistance Program Committee. See [per curiam](#) this date.

Catherine Corless is appointed to the Arkansas Judges and Lawyers Assistance Program Committee as a lawyer member, for a six-year term expiring March 9, 2029. She is replacing William B. Putman, whose term has concluded.

Brandi Collins is appointed to the Arkansas Judges and Lawyers Assistance Program Committee as a lawyer member, for a six-year term expiring March 9, 2029. She is replacing the Honorable Melinda French, whose term has concluded.

Dean Cynthia Nance is appointed to the Arkansas Judges and Lawyers Assistance Program Committee as a lawyer member, for a six-year term expiring March 9, 2029. She is replacing Jonathan Warren, whose term has concluded.

The court extends its sincere appreciation to Ms. Corless, Ms. Collins, and Dean Nance for accepting appointment to this important committee. The court also expresses its gratitude to Mr. Putman, Judge French, and Mr. Warren for their dedicated service to the committee.

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PER CURIAM ORDERS

In Memory of Chief Justice Jack W. Holt, Jr. See [per curiam](#) this date.

On March 5, 2023, Jack W. Holt, Jr., who served this court with distinction as its chief justice from January 1, 1985, through August 31, 1995, died at the age of 93. The court extends its deepest condolences to his wife, Jane Lovett Holt, and the other members of his family. We remember Chief Justice Holt for his many accomplishments and storied legal career, but also for his good-hearted willingness to mentor and befriend others, to appreciate and enjoy life—“in line with this sentiment,” we publish the letter that Chief Justice Holt released at the time he announced his retirement:

To my fellow justices, judges, and employees of the Arkansas court system:

This morning, I have sent to the Governor a formal notice of my plans to retire from the Office of Chief Justice of the Arkansas Supreme Court effective Friday, September 1, 1995.

For more than a decade, after having been honored by the people of Arkansas with the election to the office, I have served as Chief Justice of the Arkansas Supreme Court. With the passing of years, I find that it is time for me to relinquish my office, and in line with this sentiment, I announce my plans for retirement. It is now time to move on to a somewhat different, less cloistered and less structured work and lifestyle at this time of my career, with more time for family, friends and personal pursuits. In entering the judiciary, I brought to the Court a desire to be a good judge, a pledge to evaluate all cases presented to the Court in a fair and impartial manner, and, commensurate with the duties of Chief Justice, a devotion to the mission of modernizing the Arkansas judiciary, while at the same time maintaining the tradition of a fair, efficient and impartial system of justice.

During my years of service on the Court, I have had the support of strong and independent colleagues on the trial and appellate bench both past and present, and to each of them I extend my heartfelt appreciation for their total and selfless commitment to the task which has faced our court system for the past ten years.

In the discharge of my obligations and duties as Chief Justice, I have striven to emphasize improvements in the administration of our state judicial system. My objective was not improvement solely for the benefit of judges and lawyers. Rather, I continually sought to work for a better judicial system for the good of the citizens of Arkansas through constitutional amendments and legislative change. In this connection, I am gratified by the adoption of Amendment 65 to the Constitution of the State of Arkansas. This amendment, which significantly expanded the municipal court civil jurisdiction, has, in my opinion, made access to judicial relief for civil claims easier and less costly for the average citizen. In effect, it has truly created a “people’s court.” I am also pleased that, with the support of my associate justices who serve with me on the Court, a Judicial Discipline and Disability Constitutional Amendment was also adopted.

Apart from the adoption of these constitutional amendments, a variety of changes for the better have been made in our judicial system, including the creation of a new juvenile justice system, public defender programs, capital felony resources, drug diversion courts, and partial state funding of court personnel. Regrettably, the workings of the judicial branch of government still remain obscure to most citizens. Nonetheless, I am confident in my belief that the judicial branch at all levels has made significant strides forward during the past decade, and will continue the battles to improve the administration of justice.

I have gained enormous understanding of and respect for the judicial branch of government for the State of Arkansas, and, in particular, those people who constitute the courts’ staff, as they are necessary partners in making the system work. I depart hoping that, together, we have made a contribution to the ancient and living legacy of the law. I will leave confident about the future of our court and judicial system both because of the quality of the work which has already been done to make our system sound and the knowledge of the desire and energy which each of you brings to make it even better.

I close by thanking all of those who have been of assistance to me for over these many years . . . my colleagues on the Court, my administrative assistant of longstanding, my law clerks, the Administrative Office of the Courts and its Directors, past and present, the Director of Court Programs, the membership of the state judiciary at all levels, and the host of judicial employees who make up the system. I, and the Court, have benefited from the skill and experience of these dedicated employees who provide support services for the Court, not to mention the numerous attorneys and citizens who have chaired and served on various committees of the Court for little, if any, compensation other than feelings of satisfaction for the contributions to the judicial system.

For all of this, I am most grateful.