

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF MAY 18, 2023**

**PER CURIAM ORDERS**

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

CR-22-383. Dustin Foster v. State of Arkansas, from Crawford County Circuit Court.

CV-21-354. Anna Knesek v. Larry Knesek, from Crawford County Circuit Court.

CV-21-398. Sharon Parker Ivy, as Administratrix of the Estate of Earl Lee Parker, and on Behalf of All Wrongful Death Beneficiaries of Earl Lee Parker, Deceased v. David D. Nugent; Propane Resources Supply and Marketing, LLC; Propane Resources Transportation, LLC; and Propane Resources, LLC, from Crittenden County Circuit Court.

CV-21-509. Vincent Osric Johnson, Tammy Johnson, Trinia Surratt, Shayla Brently Moore, Stacy Rogers, Demarlon Bell, and Kenneth Johnson v. Sandra Johnson, from Jefferson County Circuit Court. Kemp, C.J., and Womack, J., would grant.

CV-21-608. David A. Smith v. Bobbie J. Smith, from Craighead County Circuit Court, Western District.

CV-21-627. Tina Lewis v. Baptist Health d/b/a Baptist Health Medical Center Little Rock; and Peggy K. Guard, M.D., from Pulaski County Circuit Court, Sixth Division. Webb, J., would grant. Kemp, C.J., not participating.

CV-22-97. Matthew Mabe, Laura Mabe, and Harvest Construction General Contracting, Inc. v. Latco Construction, Inc., from Washington County Circuit Court.

CV-22-320. Glenn Carter v. GEA North America, Inc.; and Sentry Insurance Company Insurance Carrier/TPA, from the Arkansas Workers' Compensation Commission.

CV-22-335. Shane Helms v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eighth Division.

E-22-597. Cheryl Pillow v. Director et al., from the Arkansas Board of Review. Womack and Webb, JJ., would grant.

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CR-95-1039. Kenneth Slocum v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Petitioner's motion to reinvest the circuit court with jurisdiction in order to consider petition for writ of error coram nobis is denied. Wynne, J., would take as a case. Webb, J., would grant. Kemp, C.J., not participating.

CR-22-268. Mikato Fulks v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for appeal bond is denied.

CR-22-606. Kyndra Ringo v. State of Arkansas, from Cleveland County Circuit Court. Appeal from the denial of petitioner's error coram nobis petition is affirmed. Womack and Webb, JJ., would transfer to court of appeals. Wynne, J., not participating.

CR-22-696. Fredrick Jones v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant's motion for release of exhibits to court reporter for completion of the record on appeal is granted.

CR-23-72. Jacoby Austin Goehler v. State of Arkansas, from Fulton County Circuit Court. Appellee's motion to supplement the record to comply with Ark. Sup. Ct. R. 4-3(a) and for brief time is granted.

CR-23-223. William Tod Rickert v. State of Arkansas, from Faulkner County Circuit Court. Motion of Tabatha Branch to be relieved as attorney for appellant and to stay briefing schedule is granted.

CR-23-244. United States of America v. Byron Lee, an Original Action. Motion to certify a question of law is denied. Kemp, C.J., and Womack, J., would grant.

CV-21-527. Michael Nauman v. Rene Nauman, from Pulaski County Circuit Court, Third Division. Appellee's motion to file belated response to petition for review is denied.

CV-22-486. Highlands Oncology Group, P.A. v. Dr. Hershey Garner, from Washington County Circuit Court. Appellant's motion to request certification to the Supreme Court of Arkansas and to transfer case to the Supreme Court of Arkansas is denied. Womack, J., not participating.

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[CV-23-151](#). William Asa Hutchinson III v. Arkansas Supreme Court Committee on Professional Conduct, Panel A; and Lisa C. Ballard, Executive Director, Supreme Court Office of Professional Conduct, an Original Action. Petitioner’s petition for writ of certiorari. Writ granted. Baker, Hudson, and Wynne, JJ., dissent. See **per curiam and dissenting opinion** this date.

CV-23-238. Willowbend at Marion, LLC, d/b/a Willowbend Healthcare and Rehabilitation; Arkansas Elder Outreach of Little Rock, Inc.; AEO Holdings, LLC; Marion Healthcare Arkansas, LLC; Douglas M. Walsh; Jude C. Sittig; Todd C. Cole; Cory Gatte; Jennifer R. Taylor, in Her Capacity as Administrator of Willowbend Healthcare and Rehabilitation; and John Does I–V v. Stella Washington, as Special Administratrix of the Estate of Helen Spears, and on Behalf of the Wrongful Death Beneficiaries of Helen Spears, from Crittenden County Circuit Court. Appellants’ petition for appeal is denied. Wood, Womack, and Webb, JJ., would transfer to court of appeals.

CV-23-238. Willowbend at Marion, LLC, d/b/a Willowbend Healthcare and Rehabilitation; Arkansas Elder Outreach of Little Rock, Inc.; AEO Holdings, LLC; Marion Healthcare Arkansas, LLC; Douglas M. Walsh; Jude C. Sittig; Todd C. Cole; Cory Gatte; Jennifer R. Taylor, in Her Capacity as Administrator of Willowbend Healthcare and Rehabilitation; and John Does I–V v. Stella Washington, as Special Administratrix of the Estate of Helen Spears, and on Behalf of the Wrongful Death Beneficiaries of Helen Spears, from Crittenden County Circuit Court. Appellants’ motion to stay trial court proceedings is denied. Wood, Womack, and Webb, JJ., would transfer to court of appeals.

CV-23-238. Willowbend at Marion, LLC, d/b/a Willowbend Healthcare and Rehabilitation; Arkansas Elder Outreach of Little Rock, Inc.; AEO Holdings, LLC; Marion Healthcare Arkansas, LLC; Douglas M. Walsh; Jude C. Sittig; Todd C. Cole; Cory Gatte; Jennifer R. Taylor, in Her Capacity as Administrator of Willowbend Healthcare and Rehabilitation; and John Does I–V v. Stella Washington, as Special Administratrix of the Estate of Helen Spears, and on Behalf of the Wrongful Death Beneficiaries of Helen Spears, from Crittenden County Circuit Court. Appellee’s motion to dismiss petition for appeal is granted. Wood, Womack, and Webb, JJ., would transfer to court of appeals.

D-23-273. In Re Glenn A. Perry, Arkansas Bar No. 2010017, an Original Action. Petition of Glenn A. Perry, Arkansas Bar No. 2010017, for voluntary surrender of license (resignation) is granted.

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CR-19-222. Craytonia Badger v. State of Arkansas, from Columbia 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 is denied.

CR-22-409. Marlon Tucker v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's pro se motion to withdraw motion for appointment of new appellate counsel and request for appointment of additional appellate counsel. Motion to withdraw motion for appointment of new appellate counsel is moot; request for appointment of additional appellate counsel is denied. Webb, J., would moot.

CR-22-617. Sharvelt Mister v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for oral argument is denied.

CR-23-228. Rodney B. Hill v. State of Arkansas, from Howard County Circuit Court. Petitioner's pro se petition for writ of mandamus is denied.

CR-23-231. Gilberto Guerra v. State of Arkansas, from Benton County Circuit Court. Petitioner's pro se motion for rule on clerk to file petition for writ of mandamus without a certified record 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 to withdraw addendum is granted.

In Re Arkansas State Board of Law Examiners. See [per curiam](#) this date.

Jacqueline Wright of Conway is appointed to the Arkansas State Board of Law Examiners for a six-year term concluding on May 18, 2029. Ms. Wright will be an at-large representative; she replaces Ernest Sanders, whose term has concluded.

The court extends its sincere appreciation to Ms. Wright for accepting appointment to this important board. The court also expresses its gratitude to Mr. Sanders for his dedicated service to the board.

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In Re Supreme Court Committee on the Unauthorized Practice of Law. See [per curiam](#) this date.

Kathryn Elizabeth Platt of Fayetteville, Third Congressional District, and Natasha Murray of Maumelle, at-large position, are reappointed to the Committee on the Unauthorized Practice of Law for three-year terms to expire on May 31, 2026. The court thanks Ms. Platt and Rev. Murray for accepting reappointment to this important committee.

Josseline Montes Trevino of Springdale, Third Congressional District, is appointed to the Committee on the Unauthorized Practice of Law for a three-year term to expire on May 31, 2026. Meagan Davis of Hatfield is appointed to the Committee on the Unauthorized Practice of Law as an alternate member for a three-year term to expire on May 31, 2026. The court thanks Ms. Montes Trevino and Ms. Davis for accepting appointment to this committee.

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**ARKANSAS SUPREME COURT**

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**MOTIONS SUBMITTED**

**PETITION FOR REHEARING:**

CR-22-556. Ronnie Johnson v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

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CR-22-776. Jason Bridges v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellee's motion to supplement the record to comply with Ark. Sup. Ct. R. 4-3(a) and for brief time.

CV-22-33. Colvin Properties, LLC v. Paul Colvin, Jr., Personal Representative of the Estate of Paul Colvin, Sr., Deceased, from Washington County Circuit Court. Appellee's motion requesting permission to file a belated response to petition for review.

CV-22-143. Benton School District; Lori Bacon, in Her Individual and Official Capacity as Principal of Angie Grant Elementary School in the Benton School District; and Lita Gattis, in Her Individual and Official Capacity as Former Assistant Superintendent of the Benton School District v. Brandi Greer, from Saline County Circuit Court. Appellee's motion to dismiss appeal.

CV-22-143. Benton School District; Lori Bacon, in Her Individual and Official Capacity as Principal of Angie Grant Elementary School in the Benton School District; and Lita Gattis, in Her Individual and Official Capacity as Former Assistant Superintendent of the Benton School District v. Brandi Greer, from Saline County Circuit Court. Appellee's motion for partial dismissal without prejudice.

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 reconsideration.

CV-23-183. Leo Humphrey and Lawrence Smith, Individually and on Behalf of All Citizens and Qualified Electors of Forrest City, Arkansas v. Pattie Long, Patricia Beede, and Frederick Freeman, as Members of the St. Francis County Election Commission; Brandi McCoy, as County Clerk of St. Francis County, Arkansas; Jim Bailey, Jr., Candidate for City Council; and Ronald Williams, Candidate for City Council, from St. Francis County Circuit Court. Motion of James F. Valley to withdraw as counsel for appellants.

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**MOTIONS SUBMITTED**

D-23-316. In Re Kenneth Ray Williams, Arkansas Bar No. 88054, an Original Action. Petition of Kenneth Ray Williams, Arkansas Bar No. 88054, for voluntary surrender of license (resignation).

D-23-317. In Re Diana J. Burleson, Arkansas Bar No. 87015, an Original Action. Petition of Diana J. Burleson, Arkansas Bar No. 87015, for voluntary surrender of license (resignation).

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CR-14-1088. Fred L. Williams v. State of Arkansas, from Drew County Circuit Court. Petitioner's pro se motion to recall the mandate.

CR-22-731. Luther Dillon v. State of Arkansas, from Boone County Circuit Court. Appellant's pro se petition for writ of certiorari to supplement the record.

CR-23-236. Duane Gonder v. State of Arkansas, from Drew County Circuit Court. Appellant's pro se request for oral argument and motion for appointment of counsel.

CR-23-274. Ronnie Flow, Jr. v. State of Arkansas, from Columbia County Circuit Court. Petitioner's pro se petition for writ of mandamus.

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**CASES SUBMITTED**

CR-22-484. Shanny L. Grady v. State of Arkansas, from Greene County Circuit Court.

CR-22-498. David White v. State of Arkansas, from Yell County Circuit Court, Northern District.

CV-21-417. Rebecca Nichols v. James Swindoll and Chuck Gibson, from Pulaski County Circuit Court, Fifth Division.