

# ARKANSAS SUPREME COURT

## PROCEEDINGS OF APRIL 4, 2024

### **COURTNEY RAE HUDSON, JUSTICE**

[CV-23-59](#). Kenneth D. Stuart; James Greenhaw; Elizabeth Jessup; Amber Wooldridge; Kevin Lightburn; Calvin Henderson; CBC Vision, LLC; Timothy Tyler Gardner, Jamshid Mirtalipov, and Garrett Taylor, v. Larry Walther, in His Official Capacity as Secretary of Arkansas Department of Finance and Administration, from Pulaski County Circuit Court, Eleventh Division. Affirmed. Womack, J., concurs without opinion. Kemp, C.J., and Wood, J., dissent.

[CV-23-755](#). Arkansas Voter Integrity Initiative, Inc., and Conrad Reynolds v. John Thurston, in His Official Capacity as Arkansas Secretary of State; the Arkansas State Board of Election Commissioners, in Its Official Capacity; and Election Systems and Software, LLC, from Pulaski County Circuit Court, Sixth Division. Affirmed. Womack, J., concurs without opinion. Webb, J., dissents.

### **BARBARA W. WEBB, JUSTICE**

[CV-23-518](#). Chris Corbitt, Esq. v. Arkansas State University; Trustees Christy Clark, Price Gardner, Neil Crowson, Jerry Morgan, Steve Eddington, Bishop Robert G. Rudolph, Jr., and Paul Rowton, in Their Official Capacities as Trustees of Arkansas State University, from Craighead County Circuit Court, Western District. Affirmed. Wood, Womack, and Hiland, JJ., dissent.

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**PER CURIAM ORDERS**

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

CR-23-111. LaJason Coakley v. State of Arkansas, from Miller County Circuit Court.

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CR-23-609. Minor Child v. State of Arkansas, from White County Circuit Court. Appellant’s motion to certify case for transfer to the Supreme Court and to treat this appeal as a petition for writ of certiorari is denied.

CV-24-69. Charles Edwin Hamner v. State of Arkansas, an Original Action. Petitioner’s pro se amended motion for rule on clerk is denied. Wood, J., would moot. Webb, J., would grant.

CV-24-98. Black Farms, LLC; Rebecca Winemiller, as Co-manager of Grand Prairie Farming & Water Company, LLC; and Rebecca Winemiller, Co-trustee of the Ernest Boyce Trust; and Ernestine Boyce, Co-trustee of the Ernestine Boyce Trust v. Grand Prairie Farming & Water Company, LLC; Jerry Lee Bogard, Co-manager of Grand Prairie Farming & Water Company, LLC; and Bogard Agriculture Consultancy Group, Inc., from Arkansas County Circuit Court, Northern District. Petitioners’ petition for writ of certiorari is denied. Webb, J., not participating.

CV-24-109. The Kroger Co.; Kroger Dedicated Logistics Co.; Kroger Limited Partnership I; Demetrius Brooks; Five Rivers Trucking, LLC; Naw Seng Gauri; and Bung Di v. Joe and Sheryl Lang, as Special Administrators of the Estate of Jason Conner Lang; Ruan Transport Corporation; Ruan Logistics Corporation; Dwight D. Slater; Courtney Boulware; Ozark Motor Lines, Inc.; and John Does 1–3, from St. Francis County Circuit Court. Petitioners’ petition for writ of mandamus is denied. Wood, J., would deny and part and grant in part to order the circuit court to rule on motion to transfer.

CV-24-113. Jeff Rosenzweig v. Arkansas Judicial Discipline and Disability Commission, an Original Action. Petitioner’s petition for writ of certiorari to complete the record is denied. Baker, Hudson, and Webb, JJ., would moot.

CV-24-113. Jeff Rosenzweig v. Arkansas Judicial Discipline and Disability Commission, an Original Action. Petitioner’s motion to file corrected transcript is granted.

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**PER CURIAM ORDERS**

CV-24-113. Jeff Rosenzweig v. Arkansas Judicial Discipline and Disability Commission, an Original Action. Petitioner’s amended petition for writ of certiorari to complete the record is denied.

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CR-00-587. Leonard Noble v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Petitioner’s pro se sixth petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis is denied.

CR-00-587. Leonard Noble v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Petitioner’s pro se motion and declaration is moot.

CR-21-415. Cleveland Evans v. State of Arkansas, from Pulaski County Circuit Court, First Division. Petitioner’s pro se motion for affirmative relief is denied.

CR-24-35. Charles Edward Harris, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Appellant’s pro se motion for extension of time to file brief and for use of record is granted.

CR-24-68. James Lee Frost v. State of Arkansas, from Monroe County Circuit Court. Petitioner’s pro se petition for writ of mandamus is moot.

CV-23-559. Jose-Enrique Mendiola v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court. Appellant’s pro se motion to file belated brief is denied. Kemp, C.J., and Baker and Hudson JJ., would grant.

CV-23-559. Jose-Enrique Mendiola v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court. Appellant’s pro se motion to file enlarged brief is denied.

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**PER CURIAM ORDERS**

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

University of Arkansas School of Law Professor Amelia McGowan is appointed to the Arkansas Access to Justice Commission Board for a two-year term that commences on April 30, 2024. Professor McGowan replaces Professor Tiffany Murphy, who has stepped down. The court wishes to thank Professor Murphy for her service.

Arkansas Supreme Court Clerk Kyle Burton is reappointed to the Arkansas Access to Justice Foundation for a second term that will commence on April 30, 2024. The court thanks Mr. Burton for continuing to serve.

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**MOTIONS SUBMITTED**

**PETITION FOR REHEARING:**

CR-23-411. Ricky Lewis Neal v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

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CR-22-504. Jaylon Bryant v. State of Arkansas, from Drew County Circuit Court. Entry of appearance of Brian Daugherty on behalf of petitioner.

CR-22-504. Jaylon Bryant v. State of Arkansas, from Drew County Circuit Court. Motion of Timothy Maurice Mays for entry pro hac vice.

CR-23-401. Morgan Richard Weatherford v. State of Arkansas, from Logan County Circuit Court, Southern District. Appellee's motion for additional extension of time to supplement record and return writ.

CR-24-74. Katherine Gibby v. State of Arkansas, from Lawrence County Circuit Court. Petitioner's petition for writ of certiorari and/or petition for writ of habeas corpus.

CR-24-143. Dennis Hale v. State of Arkansas, from Sevier County Circuit Court. Appellant's motion for belated appeal.

CR-24-143. Dennis Hale v. State of Arkansas, from Sevier County Circuit Court. Appellant's motion to seal.

CR-24-166. Brian Keith Rayborn v. State of Arkansas, from Lonoke County Circuit Court. Petitioner's petition for writ of mandamus.

CR-24-193. Sherrel Jean Courvelle v. State of Arkansas, from Garland County Circuit Court. Petitioner's pro se motion to accept the current format of the Arkansas State Court record.

CR-24-193. Sherrel Jean Courvelle v. State of Arkansas, from Garland County Circuit Court. Petitioner's pro se motion to accept and review Arkansas State Court records.

CR-24-193. Sherrel Jean Courvelle v. State of Arkansas, from Garland County Circuit Court. Petitioner's pro se petition for writ of prohibition.

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**MOTIONS SUBMITTED**

CR-24-193. Sherrel Jean Courvelle v. State of Arkansas, from Garland County Circuit Court. Petitioner’s pro se motion to combine all cases into one.

CV-23-758. In Re Daniel Joseph Lickteig, from Washington County Circuit Court. Petitioner’s pro se motion for expedited ruling on writ of mandamus.

CV-23-758. In Re Daniel Joseph Lickteig, from Washington County Circuit Court. Petitioner’s pro se petition for writ of mandamus.

CV-24-147. Tim Griffin, in His Official Capacity as Attorney General of Arkansas v. Arkansas Board of Corrections; Benny Magness, in His Official Capacity as Chairman of the Arkansas Board of Corrections; Tyrone Broomfield, in His Official Capacity as Vice Chairman of the Arkansas Board of Corrections; and John Felts; Dr. William “Dubs” Byers; Dr. Whitney Gass; Lee Watson; and Alonza Jiles, in Their Official Capacities as Board Members of the Arkansas Board of Corrections, from Pulaski County Circuit Court, Sixth Division. Appellant’s motion to disqualify appellees’ counsel or, alternatively, for an expedited briefing schedule.

CV-24-147. Tim Griffin, in His Official Capacity as Attorney General of Arkansas v. Arkansas Board of Corrections; Benny Magness, in His Official Capacity as Chairman of the Arkansas Board of Corrections; Tyrone Broomfield, in His Official Capacity as Vice Chairman of the Arkansas Board of Corrections; and John Felts; Dr. William “Dubs” Byers; Dr. Whitney Gass; Lee Watson; and Alonza Jiles, in Their Official Capacities as Board Members of the Arkansas Board of Corrections, from Pulaski County Circuit Court, Sixth Division. Appellees’ motion to dismiss appeal or, alternatively, stay briefing schedule pending consolidation.

CV-24-153. Sarah-Elise Mitchell Dunklin v. Robert Glenn Chatham, from Desha County Circuit Court. Petitioner’s petition for writ of mandamus.

CV-24-153. Sarah-Elise Mitchell Dunklin v. Robert Glenn Chatham, from Desha County Circuit Court. Petitioner’s motion to dismiss.

CV-24-156. Derick Wayne Walker v. Schneider Finance, Inc., from Jefferson County Circuit Court. Petitioner’s pro se petition for writ of mandamus.

CV-24-174. In Re Robert Brian Rogers, Arkansas Bar No. 2011290, an Original Action. Petition of Robert Brian Rogers, Arkansas Bar No. 2011290, for waiver of fees post license suspension.

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**MOTIONS SUBMITTED**

CV-24-191. Christina Morris v. Chad Morris, from Benton County Circuit Court. Petitioner’s pro se motion for permission to file a writ of mandamus without a certified record.

D-23-601. Arkansas Supreme Court Board of Certified Court Reporter Examiners v. Brittney Ridge, CCR No. 862, an Original Action. Petitioner’s petition to approve surrender agreement and board order to accept surrender of certificate in lieu of disciplinary proceedings.

D-24-189. In Re Charles Michael Finn, Arkansas Bar No. 82191, an Original Action. Petition of Charles Michael Finn, Arkansas Bar No. 82191, for voluntary surrender of license (resignation).

D-24-190. In Re Sheldon D. Smith, Arkansas Bar No. 2002210, an Original Action. Petition of Sheldon D. Smith, Arkansas Bar No. 2002210, for voluntary surrender of license (resignation).

D-24-212. In Re Catherine L. Hughes, Arkansas Bar No. 78089, an Original Action. Petition of Catherine L. Hughes, Arkansas Bar No. 78089, for voluntary surrender of license (resignation).

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CR-23-318. Wesley Jefferson v. State of Arkansas, from St. Francis County Circuit Court. Appellant’s pro se motion for extension of time to file reply brief.

CR-23-318. Wesley Jefferson v. State of Arkansas, from St. Francis County Circuit Court. Appellant’s pro se motion to file exhibits with reply brief.

CR-23-646. Duane Jefferson Gonder v. State of Arkansas, from Drew County Circuit Court. Appellant’s pro se motion for judicial notice of adjudicated facts.

CR-23-646. Duane Jefferson Gonder v. State of Arkansas, from Drew County Circuit Court. Appellant’s pro se motion for permission to file a supplemental motion for judicial notice of adjudicated facts.

CR-23-646. Duane Jefferson Gonder v. State of Arkansas, from Drew County Circuit Court. Appellant’s pro se motion for rule on clerk.

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**MOTIONS SUBMITTED**

CR-24-142. Willie Ray Porchia v. State of Arkansas, from Ouachita County Circuit Court. Petitioner’s pro se petition for writ of mandamus.

CR-24-161. Michael McGill v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Petitioner’s pro se motion for rule on clerk.

CV-23-375. Jessie Hill v. Dexter Payne, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellant’s pro se motion to proceed without denial and without delay.

CV-23-439. Darren Woodruff v. State of Arkansas, from Chicot County Circuit Court. Petitioner’s pro se motion for permission to file a belated petition for rehearing.

CV-24-50. Jeremy Kennedy v. Dexter Payne, Director, Arkansas Department of Correction, from IZARD County Circuit Court. Appellee’s motion to dismiss or, in the alternative, motion for extension of brief time.

CV-24-120. John Patrick Cullen v. Sex Offender Assessment Committee, from Pulaski County Circuit Court, Fifth Division. Petitioner’s pro se motion for rule on clerk to file petition for writ of mandamus without a certified record.

CV-24-129. Larry David Davis v. Dexter Payne, Director, Arkansas Division of Correction, from Chicot County Circuit Court. Petitioner’s pro se motion for rule on clerk.

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**CASES SUBMITTED**

CR-23-602. Leashebia Davis v. State of Arkansas, from Jefferson County Circuit Court.

CV-23-653. Union Pacific Railroad Company v. Randy G. Franklin, on Certification from the United States District Court, Eastern District of Arkansas.

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.

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CR-22-450. John Patrick Cullen v. State of Arkansas, from Garland County Circuit Court.

CR-23-318. Wesley Jefferson v. State of Arkansas, from St. Francis County Circuit Court.

CR-23-646. Duane Jefferson Gonder v. State of Arkansas, from Drew County Circuit Court.

CV-23-375. Jessie Hill v. Dexter Payne, Director, Arkansas Division of Correction, from Jefferson County Circuit Court.

CV-23-377. David Stewart v. Dexter Payne, Director, Arkansas Division of Correction, from Jefferson County Circuit Court.

CV-23-378. Eddie Patrick v. Dexter Payne, Director, Arkansas Division of Correction, from Jefferson County Circuit Court.

CV-23-552. Lee Stokes v. Dexter Payne, Director of Arkansas Division of Correction, from Lincoln County Circuit Court.