

ARKANSAS SUPREME COURT

PROCEEDINGS OF JULY 18, 2024

PER CURIAM ORDERS

REHEARINGS DENIED: Petitions for rehearing were denied today in the following cases.

CR-23-400. Zachary Nicholas Ryan Harlan v. State of Arkansas, from Benton County Circuit Court.

CR-23-596. Jon Comstock v. State of Arkansas, from Benton County Circuit Court. Baker, Hudson, and Hiland, JJ., would grant.

CR-23-747. Huey C. White v. State of Arkansas, from Lafayette County Circuit Court.

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. Kemp, C.J., and Webb, J., would grant.

CV-23-633. Charles Edward Harris, Jr. v. Whitney Gass, William Byers, Dexter Payne, Buddy Chadick, John Felts, Tyrone Broomfield, John Doe, and Bobby Glover, from Lincoln County Circuit Court.

CV-23-653. Union Pacific Railroad Company v. Randy G. Franklin, from the United States District Court of the Eastern District of Arkansas. Kemp, C.J., and Baker and Hudson, JJ., would grant.

CV-23-721. Malachi Muhammad v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court.

CR-94-30. Ray Dansby v. State of Arkansas, from Union County Circuit Court. Motion of Chelsea Wilson to be recognized as counsel on behalf of petitioner is granted.

CR-10-703. Rashaan Taylor v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Entry of appearance of Craig Lambert as counsel for petitioner is noted.

CR-16-568. James C. Pafford v. State of Arkansas, from Hempstead County Circuit Court. Entry of appearance of Nicki Nicolo and Sergio Ceja as counsel for petitioner is noted. Kemp, C.J., not participating.

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CR-22-504. Jaylon Bryant v. State of Arkansas, from Drew County Circuit Court. Petitioner's petition for leave to file petition for writ of error coram nobis is denied.

CR-22-715. Deric Smith v. State of Arkansas, from Jefferson County Circuit Court. Appellant's pro se motion for appointment of counsel is granted.

CR-23-318. Wesley Jefferson v. State of Arkansas, from St. Francis County Circuit Court. Appellant's pro se motion for reconsideration/motion to recall the mandate. Motion for reconsideration is denied; motion to recall the mandate is dismissed. Kemp, C.J., would dismiss motion for reconsideration/motion to recall the mandate.

CR-23-618. Mauricio Alejandro Torres v. State of Arkansas, from Benton County Circuit Court. Appellant's third motion for extension of time to comply with writ of certiorari is granted. The court reporter is ordered to turn over all materials to the Benton County Circuit Court within ten days (July 28, 2024), and the complete electronic record is due within ninety days (October 16, 2024).

CR-23-656. Keenan Letrell Hudson v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's motion to supplement the record and abeyance of brief time is granted.

CR-24-24. Jabari Smith v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to file belated reply brief is granted.

CR-24-157. Elizabeth Haynie v. State of Arkansas, from Ouachita County Circuit Court. Appellant's motion to require correction of the record and abeyance of brief time is granted.

CR-24-284. James Woods v. State of Arkansas, from Lawrence County Circuit Court. Motion of Christopher M. Jester to be relieved as counsel for appellant and stay briefing schedule is granted.

CR-24-353. Devon Romick v. State of Arkansas, from Crawford County Circuit Court. Motion of Arron Edwards to withdraw as counsel for appellant is granted.

CR-24-375. Eathan Cypert v. State of Arkansas, from Crawford County Circuit Court. Motion of Adam H. Rose to withdraw as attorney on direct appeal and for appointment of substitute counsel and to stay briefing time is granted.

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CV-22-396. Sherri Reggans v. Scott Schlesinger, MD; and Freeway Surgery Center, LLC, from Pulaski County Circuit Court, Seventeenth Division. Appellees' motion to strike petition for review is granted.

CV-23-94. Jodie Hartman v. Candie Hartman, from Pulaski County Circuit Court, Seventeenth Division. Appellant's motion to withdraw petition for review is granted.

CV-23-326. Ronald David Kimbrough and Mitzi Kimbrough, on Behalf of Themselves and All Other Similarly Situated Taxpayers v. Roderick Grieve, in His Official Capacity as Benton County Assessor, et al., from Benton County Circuit Court. Motion of Lisa M. Geary to withdraw as additional counsel of record is granted.

CV-24-8. Larry Walther, in His Official Capacity as Secretary and Director of the Arkansas Department of Finance and Administration v. Murphy Oil USA, Inc., from Union County Circuit Court. Motion of Lila D. Disque to appear pro hac vice is granted. Special Justice Shane Henry agrees. Webb, J., not participating.

CV-24-199. Sarah Sanders, in Her Official Capacity as Governor of Arkansas; Lindsay Wallace, in Her Official Capacity as Acting Secretary of the Arkansas Department of Corrections; and Arkansas Department of Corrections v. Arkansas Board of Corrections; and Benny Magness, in His Official Capacity as Chairman of the Arkansas Board of Corrections, from Pulaski County Circuit Court, Eleventh Division. Appellants' motion for extension of time to file brief is granted. Hiland, J., not participating.

CV-24-210. (In the Matter of the Estate of Flor Maribel Recinos Valle) Mark Murphey Henry v. Josselin Gonzalez, Administrator of the Estate of Ana Delia Mejia Flores; and Tony Pirani, from Washington County Circuit Court. Petitioner's motion for extension of time to supplement the record is granted.

CV-24-280. 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' motion to correct the record is granted.

CV-24-363. Christina Morris v. Chad Morris, from Benton County Circuit Court. Petitioner's pro se petition for writ of mandamus is denied.

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CV-24-379. Arkansas Department of Finance and Administration v. Brandyn Gallagher, Javon Hansen, Kaden McIntosh, Lydia Nelson and Haley Nicole Prentice, from Pulaski County Circuit Court, Eleventh Division. Emergency motion for stay of injunction, and request for expedited consideration. Request for expedited consideration granted; motion for stay of injunction granted. Baker and Hudson, JJ., would deny expedited consideration of the motion. Webb, J., not participating. (Proceedings of June 24, 2024)

D-16-301. Lisa C. Ballard, Executive Director, Arkansas Supreme Court Committee on Professional Conduct v. Teresa Lynette Bloodman, Arkansas Bar No. 2005055, an Original Action. Respondent’s motion for leave to file a corrected brief is granted. Special Justice Jeffrey W. Hatfield agrees. Kemp., C.J., and Hiland, J., would deny. Wood, J., not participating.

D-23-362. Mosemarie Dora Boyd, Arkansas Bar No. 2008078 v. Charlene Fleetwood, in Her Official Capacity as Interim Executive Director of the Office of Professional Conduct, an Original Action. Appellant’s pro se motion for reconsideration is denied.

D-24-306. Arkansas Supreme Court Board of Certified Court Reporter Examiners v. Sharon Fields, CCR No. 250, an Original Action. Petitioner’s petition for approval of voluntary surrender of certificate agreement and order accepting voluntary surrender of certificate is denied. Kemp, C.J., would grant.

D-24-370. In Re Leeann Rae Foster, Arkansas Bar No. 95150, an Original Action. Petition of Leeann Rae Foster, Arkansas Bar No. 95150, for voluntary surrender of license (resignation) is granted.

CR-89-60. Robert Lee Williford, Jr. v. State of Arkansas, from Garland 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 and alternative claims for Rule 37.1 postconviction relief and writ of certiorari is denied.

CR-24-79. Jeffrey Edwards v. State of Arkansas, from Washington County Circuit Court. Appellee’s motion to dismiss appeal is granted.

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CR-24-278. Dorletha Lambert v. State of Arkansas, from Craighead County Circuit Court, Western District. Petitioner's pro se motion for rule on clerk to file petition for writ of mandamus without certified record. Motion for rule on clerk denied; motion for appointment of counsel denied; writ of certiorari issued.

CR-24-301. Michael McGill v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for appointment of counsel is denied.

CR-24-301. Michael McGill v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for discovery is denied.

CR-24-301. Michael McGill v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for extension of time to file brief is granted.

CR-24-302. Clarence Turnbo v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for appointment of counsel is denied.

CR-24-302. Clarence Turnbo v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion to supplement the record on appeal and for extension of time to file brief is granted.

CR-24-322. Matthew Kimery v. State of Arkansas, from Faulkner County Circuit Court. Petitioner's pro se petition for writ of mandamus is granted. Kemp, C.J., would request that the Attorney General's office file a response to the pro se petition for writ of mandamus.

CR-24-343. Edmond McClinton v. State of Arkansas, from Jefferson County Circuit Court. Petitioner's pro se petition for writ of mandamus is granted. Kemp, C.J., would request that the Attorney General's office file a response to the pro se petition for writ of mandamus.

CR-24-355. Elgin King v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Petitioner's pro se petition for writ of mandamus. Response requested. Baker, Hudson, and Webb, JJ., would grant.

CR-24-364. Sharvelt Mister v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Petitioner's pro se petition for writ of mandamus is dismissed.

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CR-24-364. Sharvelt Mister v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Petitioner’s pro se motion for expedited evidentiary hearing is dismissed.

CV-23-375. Jessie Hill v. Dexter Payne, Director, Arkansas Division of Correction, from Jefferson County Circuit Court. Appellant’s pro se motion to recall the mandate and for reconsideration is dismissed. Kemp, C.J., and Baker, J., would deny the motion to recall the mandate and dismiss the motion for reconsideration.

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

CV-24-261. Larry Rayford v. Dexter Payne, Director, Arkansas Division of Correction, from Jackson County Circuit Court. Petitioner’s pro se petition for writ of mandamus is moot. Womack and Hiland, JJ., would deny.

CV-24-279. Jeremy Kennedy v. John Felts, Brett Morgan, Doug Smith, Lona McCastlain, Andy Shock, Jamol Jones, and Wendy Ryals, from IZARD County Circuit Court. Petitioner’s pro se petition for writ of mandamus is moot.

CV-24-279. Jeremy Kennedy v. John Felts, Brett Morgan, Doug Smith, Lona McCastlain, Andy Shock, Jamol Jones, and Wendy Ryals, from IZARD County Circuit Court. Petitioner’s pro se application for temporary relief is dismissed.
