

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

PER CURIAM ORDERS

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

CR-89-60. Robert Lee Williford, Jr. v. State of Arkansas, from Garland County Circuit Court.

CR-24-364. Sharvelt Mister v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-94-30. Ray Dansby v. State of Arkansas, from Union County Circuit Court. Motion of Laurence E. Komp to appear pro hac vice is granted.

CR-23-731. Hunter Delagarza v. State of Arkansas, from Benton County Circuit Court. Appellee's motion to supplement the record and for extension of time to file brief is granted.

CR-24-143. Dennis Hale v. State of Arkansas, from Sevier County Circuit Court. Appellant's motion for extension of word-count limitation is moot. Webb, J., would grant.

CR-24-223. Dean Leroy Meacham v. State of Arkansas, from Washington County Circuit Court. Appellant's motion to file belated brief is granted.

CR-24-284. James Woods v. State of Arkansas, from Lawrence County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

CR-24-350. Anthony Beard v. State of Arkansas, from Hot Spring County Circuit Court. Entry of appearance of Justin B. Hurst as attorney of record for appellant is noted.

CR-24-424. William Coston v. State of Arkansas, from Garland County Circuit Court. Motion of Mark S. Fraiser to withdraw as attorney on direct appeal is granted.

CR-24-517. Timothy Clevenger v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion for belated appeal is granted.

CR-24-568. Arkansas Department of Human Services v. Courtney Renee Nesbett and State of Arkansas, from Pope County Circuit Court. Petitioner's request for expedited consideration is denied. (Proceedings of September 6, 2024)

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

PER CURIAM ORDERS

CV-23-793. Melissa Tedford, Stacey Hogue Ford, and Keith Everett Palmer v. Centennial Bank, Trustee of the Verl Eldon DeGood Trust; and Michael Thomas Hall-DeGood, Individually and as Administrator of the Estate of Thomas Eldon DeGood, from Craighead County Circuit Court, Western District. Motion of separate appellee Michael Thomas Hall-DeGood to certify appeal to the Arkansas Supreme Court is denied. Kemp, C.J., would grant.

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 the Multistate Tax Commission for permission to file amicus curiae brief in support of appellant is granted. Special Justice Shane Henry agrees. Wood, Womack, and Hiland, JJ., would deny. Webb, J., not participating.

CV-24-52. Progressive Northwestern Insurance Company v. Misty Huddleston and Lane Huddleston, Individually and on Behalf of All Arkansans Similarly Situated, from Pope County Circuit Court. Motion of Kymberly Kochis for admission pro hac vice is granted.

CV-24-52. Progressive Northwestern Insurance Company v. Misty Huddleston and Lane Huddleston, Individually and on Behalf of All Arkansans Similarly Situated, from Pope County Circuit Court. Motion of Tracey K. Ledbetter for admission pro hac vice is granted.

CV-24-85. Fred N. Bollinger d/b/a FNB Farms; Fred N. Bollinger, Jr.; Bollinger Lone Oak, Inc.; and Bollinger Partners, Inc. v. Farm Credit Midsouth, PCA, from Crittenden County Circuit Court. Appellants' motion to transfer appeal to the Arkansas Supreme Court is denied. Webb, J., would grant.

CV-24-127. Jeremy Kennedy v. Arkansas Parole Board; John Felts, in His Individual and Official Capacity as Chairman of the Arkansas Parole Board; Dexter Payne, in His Official Capacity as Director of the Arkansas Division of Correction; Michelle Gray; and Stanley Robinson, from Izard County Circuit Court. Appellees' motion to file substituted brief is granted.

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 for permission to file corrected brief is granted.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

PER CURIAM ORDERS

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 remand with instructions to vacate preliminary injunction and dismiss as moot is taken with the case. 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 petition for writ of mandamus is granted. Kemp, C.J., would take as a case.

CV-24-283. Kenneth Tilley, Individually and as Trustee of the Kenneth Tilley Family Trust v. Malvern National Bank and Stephen Moore, from Garland County Circuit Court. Appellant's motion to consolidate records is granted.

CV-24-339. Arkansas Department of Transportation and James Roland v. State Farm Mutual Automobile Insurance Company and April Reyna, from St. Francis County Circuit Court. Appellants' motion for voluntary dismissal of appeal is granted.

CV-24-397. David A. Hodges v. M. Randy Rice, Chapter 7 Trustee for the Bankruptcy Estate of Laura Beth Stamp, from Pulaski County Circuit Court, Fifth Division. Petitioner's petition for writ of prohibition is denied. Wood, J., would take as a case.

CV-24-471. John Michael Carney v. Central Arkansas Radiation Therapy Institute, Inc., d/b/a CARTI; The Doctors Company; Brent David Cameron, M.D.; Matthew Emery Hardee, M.D.; and John Does A through H, Unknown Defendants, from Pulaski County Circuit Court, Sixteenth Division. Petitioner's petition for writ of certiorari is denied.

CV-24-471. John Michael Carney v. Central Arkansas Radiation Therapy Institute, Inc., d/b/a CARTI; The Doctors Company; Brent David Cameron, M.D.; Matthew Emery Hardee, M.D.; and John Does A through H, Unknown Defendants, from Pulaski County Circuit Court, Sixteenth Division. Petitioner's application for temporary relief is denied.

CV-24-499. Baptist Memorial Hospital - Jonesboro, Inc., d/b/a NEA Baptist Memorial Hospital v. Tina Armstrong, from Craighead County Circuit Court, Western District. Petitioner's petition for permission to appeal is granted. Baker and Hudson, JJ., would deny.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

PER CURIAM ORDERS

CV-24-522. TikTok Inc.; TikTok Pte. Ltd.; ByteDance Inc.; and ByteDance Ltd. v. State of Arkansas *ex rel.* Tim Griffin, Attorney General, from Cleburne County Circuit Court. Petitioners’ petition for writ of certiorari or, in the alternative, a writ of prohibition, writ of mandamus, or other supervisory writ is taken as a case. Baker and Hudson, JJ., would deny.

CV-24-522. TikTok Inc.; TikTok Pte. Ltd.; ByteDance Inc.; and ByteDance Ltd. v. State of Arkansas *ex rel.* Tim Griffin, Attorney General, from Cleburne County Circuit Court. Petitioners’ motion to stay proceedings is granted. Baker, Hudson, and Webb, JJ., would deny.

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 amendment/substitution is denied.

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

CR-05-782. Freddie Carey v. State of Arkansas, from Pulaski County Circuit Court, First Division. Petitioner’s pro se motion for copy of briefs, trial records, or transcripts treated as a motion for copies at public expense and denied.

CR-13-1006. Rolandis Chatmon v. State of Arkansas, from Faulkner County Circuit Court. Petitioner’s pro se fifth petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis and, alternatively, for writ of certiorari is denied. Womack, J., would dismiss the petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis and deny alternative petition for writ of certiorari. Wood and Hiland, JJ., not participating.

CR-18-546. Kwasi McKinney v. State of Arkansas, from Columbia County Circuit Court. Petitioner’s pro se sixth petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis is dismissed. Baker, J., would deny. Womack, J., would dismiss in part and deny in part.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

PER CURIAM ORDERS

CR-18-546. Kwasi McKinney v. State of Arkansas, from Columbia County Circuit Court. Petitioner's pro se motion to file a reply to the response is moot.

CR-24-35. Charles Edward Harris, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Appellant's pro se motion for use of or copy of appellant's brief and extension of time to file reply brief is denied. Womack, J. would grant.

CR-24-230. Tracy Duane Wright v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion for extension of time to file brief is granted.

CR-24-258. Christopher Love v. State of Arkansas, from Nevada County Circuit Court. Petitioner's pro se petition for writ of mandamus is moot. Baker, J., would deny.

CR-24-258. Christopher Love v. State of Arkansas, from Nevada County Circuit Court. Petitioner's pro se amended petition for writ of mandamus is denied.

CR-24-381. Owen Watson v. State of Arkansas, from Crittenden County Circuit Court. Petitioner's pro se petition for writ of certiorari and, alternatively, writ of prohibition is denied.

CR-24-382. Joe Morgan v. State of Arkansas, from Pulaski County Circuit Court, First Division. Petitioner's pro se motion for belated appeal is granted.

CR-24-382. Joe Morgan v. State of Arkansas, from Pulaski County Circuit Court, First Division. Petitioner's pro se petition for writ of certiorari or, in the alternative, judicial notice is denied.

CR-24-402. Fredy Vasquez v. State of Arkansas, from Carroll County Circuit Court, Eastern District. Petitioner's pro se motion to rule on the clerk to file petition for writ of mandamus without certified record is denied.

CV-24-213. Rolandis Chatmon v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court. Appellant's pro se motion for judicial notice is denied. Wood and Hiland, JJ., not participating.

CV-24-213. Rolandis Chatmon v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court. Appellant's pro se second motion for judicial notice is denied. Wood and Hiland, JJ., not participating.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

PER CURIAM ORDERS

CV-24-213. Rolandis Chatmon v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court. Appellant’s pro se motion for oral argument is denied. Wood and Hiland, JJ., not participating.

CV-24-247. Jeremy Kennedy v. Arkansas Parole Board and Arkansas Division of Correction, from Jefferson County Circuit Court. Appellant’s pro se motion to file substituted brief is denied.

CV-24-247. Jeremy Kennedy v. Arkansas Parole Board and Arkansas Division of Correction, from Jefferson County Circuit Court. Appellant’s pro se second motion to file a substituted brief is denied.

CV-24-312. Alvin Dejuan Aikens v. Dexter Payne, Director, Arkansas Division of Correction, from Jefferson County Circuit Court. Appellant’s pro se motion for copy of docket sheet is moot.

CV-24-312. Alvin Dejuan Aikens v. Dexter Payne, Director, Arkansas Division of Correction, from Jefferson County Circuit Court. Appellant’s pro se motion for default judgment is denied.

CV-24-346. Lee Charles Millsap, Jr. v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court. Petitioner’s pro se petition for writ of mandamus is denied.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

PER CURIAM ORDERS

In Re District Court Resources Assessment Board. See [per curiam](#) this date.

The court appoints the Honorable Karen Whatley, Circuit Judge, Sixth Judicial Circuit, to the District Court Resources Assessment Board. Judge Whatley will replace the Honorable Edwin Keaton, Retired Circuit Judge, whose term expires on April 30, 2026. We express our gratitude to Judge Keaton for his valuable service to this board and congratulate him on his retirement. We thank Judge Whatley for her willingness to serve.

The court reappoints the Honorable Melinda French, District Judge, Twenty-Seventh Judicial District; the Honorable Doug Erwin, Lonoke County Judge; and John Wilkerson, Esq., Arkansas Municipal League General Counsel, whose terms have expired. Judge French's term will expire April 30, 2027. The terms of Judge Erwin and John Wilkerson will expire April 30, 2028. We express our gratitude to these board members for their previous service and for their continued willingness to serve.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

MOTIONS SUBMITTED

CR-23-656. Keenan Letrell Hudson v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant’s motion for remand to settle the record and abeyance of brief time.

CR-24-284. James Woods v. State of Arkansas, from Lawrence County Circuit Court. Appellant’s motion to seal the record.

CR-24-375. Eathan Cypert v. State of Arkansas, from Crawford County Circuit Court. Appellant’s motion to supplement the record and to stay briefing schedule.

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. Joint motion for remand with instructions to dismiss; motion to stay briefing schedule.

CV-24-397. David A. Hodges v. M. Randy Rice, Chapter 7 Trustee for the Bankruptcy Estate of Laura Beth Stamp, from Pulaski County Circuit Court, Fifth Division. Motion of Breean “BW” Walas to withdraw as counsel of record for respondent.

CV-24-550. Elwyn Graham v. Mary A. Elmore, from Columbia County Circuit Court. Petitioner’s pro se petition for writ of mandamus; motion for rule on clerk; and petition for writ of certiorari to acquire the certified record or partial certified record.

D-24-562. In Re Robert Kenny McCulloch, Arkansas Bar No. 88044, an Original Action. Petition of Robert Kenny McCulloch, Arkansas Bar No. 88044, for voluntary surrender of license (resignation).

D-24-564. In Re Melody W. Oliver, Arkansas Bar No. 2014178, an Original Action. Petition of Melody W. Oliver, Arkansas Bar No. 2014178, for voluntary surrender of license (resignation).

CR-23-102. Jeffery Allen Workman v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Petitioner’s pro se motion pursuant to Rule 19 of the Arkansas Rules of Appellate Procedure–Criminal (2023).

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

MOTIONS SUBMITTED

CR-23-102. Jeffery Allen Workman v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Petitioner's pro se motion to compel attorney to comply with Rule 19.

CR-23-783. Jessie Hill v. State of Arkansas, from Grant County Circuit Court. Appellant's pro se motion to file an amended and supplemental brief pursuant to Arkansas Code Annotated section 16-93-201, for a brief in support of a petition for writ of mandamus pursuant to section 16-89-113, for a brief in support of relief pursuant to section 16-89-115 and other code sections; and for reconsideration of the denial of petition to reinvest jurisdiction in the trial court to consider a writ of error coram nobis.

CR-23-783. Jessie Hill v. State of Arkansas, from Grant County Circuit Court. Appellant's pro se motion for production of documents or brief-in-chief.

CR-24-144. Willie McDaniels v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Appellant's pro se motion to file belated reply brief.

CR-24-367. Jeffery Allen Workman v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's pro se motion for appointment of counsel.

CR-24-390. Lavoyce Wilder v. State of Arkansas, from Pike County Circuit Court. Appellant's pro se motion for belated appeal treated as a pro se motion to file belated brief.

CR-24-475. Kwasi McKinney v. State of Arkansas, from Pulaski County Circuit Court, First Division. Petitioner's pro se petition for writ of mandamus.

CR-24-476. Abraham Grant v. State of Arkansas, from Phillips County Circuit Court. Petitioner's pro se petition for writ of mandamus.

CR-24-494. John R. Butcher v. State of Arkansas, from Columbia County Circuit Court. Petitioner's pro se motion for direct appeal.

CR-24-496. John R. Butcher v. State of Arkansas, from Columbia County Circuit Court. Petitioner's pro se motion for direct appeal.

CR-24-497. Joseph Bienemy v. State of Arkansas, from White County Circuit Court. Petitioner's pro se motion for rule on clerk.

CR-24-529. Aiden Jones v. State of Arkansas, from Johnson County Circuit Court. Petitioner's pro se petition for writ of prohibition.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

MOTIONS SUBMITTED

CR-24-529. Aiden Jones v. State of Arkansas, from Johnson County Circuit Court. Petitioner’s pro se motion for appointment of counsel.

CV-24-129. Larry David Davis v. Dexter Payne, Director, Arkansas Division of Correction, from Chicot County Circuit Court. Appellant’s pro se petition for writ of certiorari.

CV-24-436. Edward Carter v. Dexter Payne, Director, Arkansas Division of Correction, from Chicot County Circuit Court. Appellant’s pro se motion to dismiss appeal.

CV-24-502. Ricky Lee Scott v. Rhonda Sullivan, Circuit Clerk; Alvah Griggs-Washington, Court Reporter and/or successor Kristy Wheeler; Linda E. Worstell, Court Reporter; Nila Keels, Court Reporter and/or successor Carla K. Astin; Judge L.T. Simes II and/or successor Hon. Dion Wilson; Judge Harvey Yates and/or successor Hon. Richard L. Proctor; Judge Ashley Higgins and/or successor Hon. Christopher W. Morledge, from Cross County Circuit Court. Appellant’s pro se motion for access to the record and for extension of time to file brief.

CV-24-502. Ricky Lee Scott v. Rhonda Sullivan, Circuit Clerk; Alvah Griggs-Washington, Court Reporter and/or successor Kristy Wheeler; Linda E. Worstell, Court Reporter; Nila Keels, Court Reporter and/or successor Carla K. Astin; Judge L.T. Simes II and/or successor Hon. Dion Wilson; Judge Harvey Yates and/or successor Hon. Richard L. Proctor; Judge Ashley Higgins and/or successor Hon. Christopher W. Morledge, from Cross County Circuit Court. Appellant’s pro se second motion for access to the record and for extension of time to file brief.

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 12, 2024

CASES SUBMITTED

CR-23-197. Christopher Segerstrom v. State of Arkansas, from Washington County Circuit Court.

CR-23-201. Jermaine Lawson v. State of Arkansas, from Clark County Circuit Court.

CR-23-203. Bobby Wyles v. State of Arkansas, from Perry County Circuit Court.

CR-23-706. Tyler Joseph Barefield v. State of Arkansas, from Pope County Circuit Court.

CR-24-243. Sir Jeffery McNeil-Lewis v. State of Arkansas, from Crittenden County Circuit Court.

CR-23-718. John Lee Weeks v. State of Arkansas, from Benton County Circuit Court.

CV-23-699. Stanley Hunt v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court.

CV-23-733. John Lockett v. Arkansas Parole Board; John Felts, Jamol Jones, Andy Shock, Boyce Hamlet, Wendy Ryals, Doug Smith, and Lona McCastlain, in Their Official Capacities as Members of the Arkansas Parole Board; and Dexter Payne, Director, Arkansas Division of Correction, from Pulaski County Circuit Court, Sixth Division.

CV-23-824. Taurin A. Johnson v. Dexter Payne, Director, Arkansas Division of Correction, from Lincoln County Circuit Court.

CV-23-845. Myron Anderson v. Dexter Payne, Director, Arkansas Division of Correction, from Jefferson County Circuit Court.

CV-24-34. Vern Schuldheisz v. John Felts, Chairman, Arkansas Parole Board, from Pulaski County Circuit Court, Sixth Division.

CV-24-128. Jeremy Kennedy v. Arkansas Parole Board, from Izard County Circuit Court.