



## ARKANSAS JUDICIARY

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### **CACR 03-957**

Case Number CACR 03-957 filed at this court on 08/26/2003

Case Category: Felony

Case Caption:

RANDOLPH MCDONALD

V

STATE OF ARKANSAS

Randolph McDonald (ACTIVE) Appellant's counsel:

Jeffrey Marx Rosenzweig - LEAD

Laura Lee Cunningham - LEAD

Conviction Information:

Convicted of: POST CONVICTION/RULE 37

Sentence: 000-00-000 (yyy-mm-ddd)

Sentence Type ??????????

Laura L. Cunningham (ACTIVE) Respondent's counsel:

Jeffrey Marx Rosenzweig - LEAD

State Of Arkansas (ACTIVE) Appellee's counsel:

Attorney General - LEAD

Trial Court: Carroll

Carroll Circuit, Western District

Trial Court Number: CR02-27WD

Trial Judge: Alan David Epley

----- EVENT LISTING -----

09/08/2005 Mandate to Clerk

07/11/2005 Petition for Review , CR05-768 - Randolph McDon

Action = awaiting action

Appellant's Attorney - Laura Lee Cunningham

7-11-05. Petition tendered - over the page limit.

Petition corrected - filed July 11, 2005.

06/22/2005 Majority Opinion Rendered

ACTION = Affirmed

Opinion Date - 06/22/05 Consist of 0 pages,

Cite Number - Publish - yes

John M. Pittman -- WRITING  
Robbins, Vaught, Crabtree, and Baker, JJ., agree.  
Josephine Linker Hart -- WRITING  
Dissents  
Hart, Gladwin, Griffen, and Neal, JJ., dissent.  
Wendell Lee Griffen -- WRITING  
Dissents  
Honorable Olly Neal -- WRITING  
Dissents

06/22/2005 Opinion Panel  
John M. Pittman -- WRITING  
Josephine Linker Hart -- WRITING  
Wendell Lee Griffen -- WRITING  
Honorable Olly Neal -- WRITING

03/23/2005 Case Submitted

03/23/2005 Court of Appeals Votesheet Issued

02/10/2005 Supplement to the Record Filed - Randolph McD  
Appellant's Attorney - Laura Lee Cunningham

02/09/2005 Letter Orders - Court of Appeals  
Appellant's Attorney - Laura Lee Cunningham

02/08/2005 Motion for Extension of Time to Comply - Rand  
Action = GRANTED on 02/09/05  
Appellant's Attorney - Laura Lee Cunningham  
Appellant's motion for extension of time to comply with  
order is granted.  
(Supplement due 2/17/05)

02/02/2005 Record Checkout by Atty. of Record  
Attorney - Jeffrey Marx Rosenzweig  
Number of Volumes 0  
Number of Sets 0

01/26/2005 Supplementation to the Record Ordered  
Judgment and Commitment Order due February 10, 2005

01/26/2005 Majority Opinion Rendered  
ACTION = OTHER OPINION ACTION (MISC)  
Opinion Date - 01/26/05 Consist of 0 pages,  
Cite Number - Publish - no  
John M. Pittman -- WRITING  
Glover and Baker, JJ., agree.  
Supplementation of the Record Ordered.

01/26/2005 Opinion Panel  
John M. Pittman -- WRITING

01/12/2005 Case Submitted

01/12/2005 Court of Appeals Votesheet Issued

08/20/2004 Brief Filed Timely - State Of Arkansas  
Appellee's Attorney - Attorney General  
Lauren Elizabeth Heil

07/21/2004 Printed Brief Filed Timely - Randolph McDona  
Appellant's Attorney - Laura Lee Cunningham

07/20/2004 Record Checkout by Atty. of Record - State Of. k  
Appellee's Attorney - Attorney General  
Number of Volumes 1  
Number of Sets 0

07/19/2004 Briefing Commenced - State Of Arkansas  
This event was tickled for 08/23/04

07/19/2004 Briefing Commenced - Laura L. Cunningham  
This event was tickled for 08/23/04

07/19/2004 Typed Brief Filed Timely - Randolph McDonald  
Appellant's Attorney - Laura Lee Cunningham

05/28/2004 Brief Extension - Randolph McDonald  
This event was tickled for 07/17/04  
Action = GRANTED on 06/02/04  
Appellant's Attorney - Laura Lee Cunningham

04/19/2004 Brief Extension - Randolph McDonald  
This event was tickled for 06/02/04  
Action = GRANTED on 04/20/04  
Appellant's Attorney - Laura Lee Cunningham  
Attorney General does not object, and will not file  
response.  
(Per telephone call from David Raupp 4-19-04)

04/02/2004 7 Day Brief Extension - Randolph McDonald  
This event was tickled for 04/20/04  
Action = GRANTED on 04/02/04  
Appellant's Attorney - Laura Lee Cunningham

03/04/2004 Record Lodged  
Number of Volumes 1  
Number of Sets 0  
1 volume

03/04/2004 Briefing Commenced  
This event was tickled for 04/13/04  
Appellant's Attorney - Laura Lee Cunningham

03/04/2004 Letter Orders - Supreme Court  
This event was tickled for 04/13/04  
Respondent's Attorney - Jeffrey Marx Rosenzweig

02/20/2004 Petition for Rehearing on Show Cause Opinion- L r  
Action = DENIED on 03/04/04  
Respondent's Attorney - Jeffrey Marx Rosenzweig  
'Petition for rehearing is denied.' Motion for rule on the  
clerk treated as motion for belated appeal. Granted. (See  
enclosed opinion issued February 12, 2004)  
Ms. Cunningham, this case is filed in the Arkansas Court  
of Appeals this date, Case No. CACR03-957. Appellant's  
brief will be due April 13, 2004; appellee's brief is due  
thirty days after appellant's brief is filed.

02/12/2004 Motion for Rule on Clerk treated as Belated App I  
Motion for Rule on Clerk treated as motion for belated  
appeal granted. Hannah, J.

01/29/2004 Supreme Court Votesheet Issued

01/29/2004 Case Submitted  
Response of Laura L. Cunningham to show cause order.  
Submitted as a case.

12/09/2003 Record Checkout by Atty. of Record - State Of. k  
Appellee's Attorney - Attorney General  
Number of Volumes 1  
Number of Sets 0

12/04/2003 Response to Show Cause to be Submitted as Case

12/04/2003 Letter Orders - Supreme Court

11/25/2003 Brief Filed on Show Cause Order  
Attorney - Jeffrey Marx Rosenzweig  
12-4-03. Response of Laura L. Cunningham to show cause  
order to be submitted as a case.

11/20/2003 Letter Orders - Supreme Court

11/20/2003 Briefing Schedule on Show Cause Order  
This event was tickled for 12/01/03  
Jeff Rosenzweig attorney for Laura Cunningham to file brief  
on show cause order by 12-01-03.

11/06/2003 Per Curiam Order  
Action = DENPERCUR on 11/06/03  
Motion for reconsideration. Motion denied; order to show  
cause. See per curiam this date. Brown, J., concurs.

11/06/2003 Letter Orders - Supreme Court  
Submitted to the court on - 10/23/03  
Appellant's Attorney - Laura Lee Cunningham

11/06/2003 Order to Show Cause Issued for November 20, 2003  
This event was tickled for 11/20/03

11/06/2003 Attorney called and informed of show cause hearing  
Home on sick leave. No trooper will be sent.

10/13/2003 Motion for Reconsideration - Randolph McDonald  
Submitted to the court on - 10/23/03  
Action = DENPERCUR on 11/06/03  
Appellant's Attorney - Laura Lee Cunningham  
Motion for reconsideration. Motion denied; order to show  
cause. See per curiam this date. Brown, J., concurs.  
Show cause ordered for November 20, 2003, at 9:00 a.m.

09/11/2003 Letter Orders - Supreme Court  
Submitted to the court on - 09/04/03  
Appellant's Attorney - Laura Lee Cunningham

09/11/2003 Per Curiam Order  
Action = DENPERCUR on 09/11/03  
Motion for rule on clerk is denied. See per curiam this  
date. Thornton, J., not participating.

08/26/2003 Motion for Rule on Clerk - Randolph McDonald  
Submitted to the court on - 09/04/03  
Action = DENPERCUR on 09/11/03  
Appellant's Attorney - Laura Lee Cunningham  
Motion for rule on clerk is denied. See per curiam this  
date. Thornton, J., not participating.

08/05/2003 Record Tendered

**Date Filed:**

Tuesday, August 26, 2003

**Caption:**

RANDOLPH MCDONALD

V

STATE OF ARKANSAS

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