

# No:

Before The United States Supreme Court

James E. Whitney

Petitioner

v.

State of Arkansas

Respondent

On Petition for Writ of Certiorari  
to the Supreme Court for the State of Arkansas  
Case No:

Appendix A

Opinions Below

James E. Whitney, Pro Se  
Sui Juris In Propria Persona  
163817  
P.O. Box 600  
Grady, Arkansas  
71644-0600

## Index to Appendix A

	Page
Arkansas Supreme Court Formal order denying Petition for rehearing CR-18-437 06 December 2018.....	1
Arkansas Supreme Court Formal order denying Petition for Rule on the Clerk CR- 18-437 18 December 2018 Hon. Josephine L. Hart would grant.....	2
Arkansas Supreme Court Notice of corrected case number CR- 18-437 18 May 2018.....	3
Arkansas Supreme Court Acknowledgment of receipt assigning incorrect case number CR- 18-436 18 April 2018.....	4
Arkansas Supreme Court Acknowledgment of Clerk's error on Date of filing at Circuit Court 25 April 2018.....	5
Arkansas Supreme Court Notice of Declining to lodge the record, stating incorrect Date of Filing at Circuit Court 09 April 2018.....	6
Washington County, Arkansas Court Reporter's estimate of cost of Record for appeal 09-January 2018.....	7
Circuit Court of Washington County, Arkansas order denying return of seized property 72 CR- 14-2275 08 December 2017.....	8
Letter from Hon. Mark Lindsay denying me direct access to the Court 09 June 2016.....	9
Circuit Court of Washington County, Arkansas order of Nolle Prossed 72 CR-14-2275 25 May 2016.....	10-11
Original Notice of Appeal and Designation of the Record filed 16 October 2017.....	12-14

	Page
Petitioner Letter to Deputy Prosecutor for copy of the case file 72 CR 14-2275 02 January 2018.....	15-16
Second Notice of Appeal and Designation of the Record Institutionally mailed 18 January 2018.....	17-20
Petitioner Letter to Court Clerk, Circuit Court of Washington County, Arkansas 72 CR 14-2275 26 September 2017.....	21
Original Motion for Return of seized property 72 CR 14-2275 05 July 2017 .....	22-25
Petitioner Letter to Court Clerk, Circuit Court of Washington County, Arkansas request for copy of court record 72 CR 2275 19 May 2017.....	16-27

## FORMAL ORDER

**BE IT REMEMBERED, THAT A SESSION OF THE SUPREME COURT  
BEGUN AND HELD IN THE CITY OF LITTLE ROCK, ON DECEMBER 6, 2018,  
AMONGST OTHERS WERE THE FOLLOWING PROCEEDINGS, TO-WIT:**

SUPREME COURT CASE NO. CR-18-437

JAMES EDWARD WHITNEY PETITIONER

V. APPEAL FROM WASHINGTON COUNTY CIRCUIT COURT - 72CR-14-2275

STATE OF ARKANSAS RESPONDENT

PETITIONER'S PRO SE PETITION FOR REHEARING EN BANC OF THE COURTS OPINION ISSUED OCTOBER 18, 2018, IS DENIED. HART, J., WOULD GRANT.

IN TESTIMONY, THAT THE ABOVE IS A TRUE COPY OF THE ORDER OF SAID SUPREME COURT, RENDERED IN THE CASE HEREIN STATED, I, STACEY PECTOL, CLERK OF SAID SUPREME COURT, HEREUNTO SET MY HAND AND AFFIX THE SEAL OF SAID SUPREME COURT, AT MY OFFICE IN THE CITY OF LITTLE ROCK, THIS 6TH DAY OF DECEMBER, 2018.

Gray Pectol

**CLERK**

BY: [John Doe](#)

DEPUTY CLERK

ORIGINAL TO CLERK

CC: JAMES EDWARD WHITNEY

DAVID R. RAUPP, SENIOR ASSISTANT ATTORNEY GENERAL  
HON. MARK LINDSAY, CIRCUIT JUDGE

FORMAL ORDER

STATE OF ARKANSAS,

SCT.

SUPREME COURT

BE IT REMEMBERED, THAT A SESSION OF THE SUPREME COURT  
BEGUN AND HELD IN THE CITY OF LITTLE ROCK, ON OCTOBER 18, 2018,  
AMONGST OTHERS WERE THE FOLLOWING PROCEEDINGS, TO-WIT:

SUPREME COURT CASE NO. CR-18-437

## JAMES EDWARD WHITNEY

PETITIONER

V. APPEAL FROM WASHINGTON COUNTY CIRCUIT COURT - 72CR-14-2275

STATE OF ARKANSAS

RESPONDENT

PETITIONER'S PRO SE MOTION FOR RULE ON CLERK IS DENIED. HART, J., WOULD GRANT.

IN TESTIMONY, THAT THE ABOVE IS A TRUE COPY OF  
THE ORDER OF SAID SUPREME COURT, RENDERED IN  
THE CASE HEREIN STATED, I, STACEY PECTOL,  
CLERK OF SAID SUPREME COURT, HEREBY UNTO  
SET MY HAND AND AFFIX THE SEAL OF SAID  
SUPREME COURT, AT MY OFFICE IN THE CITY OF  
LITTLE ROCK, THIS 18TH DAY OF OCTOBER, 2018.

Bracey Doctor

CLERK

BY:

DEPUTY CLERK

ORIGINAL TO CLERK

CC: JAMES EDWARD WHITNEY  
JACOB H. JONES, ASSISTANT ATTORNEY GENERAL  
HON. MARK LINDSAY, CIRCUIT JUDGE

IN THE CIRCUIT COURT OF WASHINGTON COUNTY ARKANSAS  
SIXTH DIVISION

THE STATE OF ARKANSAS

Vs. 72CR-14-2275-6

JAMES WHITNEY

FILED FOR RECORD 12/8/2017  
PLAINTIFF 12/8/2017  
WASHINGTON COUNTY, ARKANSAS  
CIRCUIT COURT  
DEFENDANT 4:00  
SILVER

On this 8<sup>th</sup> day of December 2017, the Court was presented information by the State through Deputy Prosecuting Attorney Kevin B. Metcalf regarding the Defendant's Motion for Return of Seized Property and finds:

1. That case 72CR-14-2275-6 was nolle prossed on May 25, 2016.
2. That the state does not possess any property belonging to the defendant in case 72CR-14-2275-6.

Therefore, the Court finds that there is no property in the possession of the state that can be released to the Defendant.

It is so ordered this 8<sup>th</sup> day of December 2017.

Honorable Mark Lindsay  
Circuit Judge

**Additional material  
from this filing is  
available in the  
Clerk's Office.**