

Cite as 2020 Ark. 190

**SUPREME COURT OF ARKANSAS**

No. CV-19-844

ASA HUTCHINSON, IN HIS OFFICIAL  
CAPACITY AS GOVERNOR OF THE STATE  
OF ARKANSAS

APPELLANT

V.

RANDALL THOMAS MCARTY

APPELLEE

Opinion Delivered: May 14, 2020

APPEAL FROM THE PULASKI COUNTY  
CIRCUIT COURT  
[NO. 60CV-19-3622]

HONORABLE TIMOTHY DAVIS FOX,  
JUDGE

REVERSED AND REMANDED.

JOHN DAN KEMP, Chief Justice

Appellant Asa Hutchinson, in his official capacity as Governor of the State of Arkansas, appeals an order of the Pulaski County Circuit Court denying his motion to dismiss an action filed by appellee Randall Thomas McArty, an inmate in the Arkansas Department of Correction. On appeal, Hutchinson contends that McArty lacked standing to bring his claims and that he failed to plead sufficient facts to overcome the defenses of sovereign and legislative immunity. We have jurisdiction of this interlocutory appeal pursuant to Arkansas Rule of Appellate Procedure-Civil 2(a)(10) (2019). We reverse the circuit court's ruling and remand for an order consistent with this opinion.

**Appendix "A"**