

IN THE CIRCUIT COURT OF POPE COUNTY, ARKANSAS
CIVIL DIVISION (I)

FILED
POPE CO. CIRCUIT CLERK
TIME: 11:59
DATE: 12-03-19
Gregory F Payne

CITIZENS FOR A BETTER POPE COUNTY,
A Local Option Ballot Question Committee;
JAMES KNIGHT, in his individual capacity

PLAINTIFFS

v. Case No. 58CV-19-439

BEN CROSS, in his official capacity
As County Judge of Pope County, Arkansas, et al.

DEFENDANTS

CHEROKEE NATION BUSINESSES, LLC

INTERVENOR

NOTICE OF APPEAL

Plaintiffs, Citizens for a Better Pope County, a Local Option Ballot Question Committee, and James Knight, in his individual capacity, for their Notice of Appeal, state:

1. **Appealing Parties.** The parties taking this appeal are Plaintiffs, Citizens for a Better Pope County, a Local Option Ballot Question Committee, and James Knight, in his individual capacity.

2. **Orders Being Appealed.** Plaintiffs appeal from the Court's Order entered October 3, 2019, granting Intervenor's Motion to Intervene, and the Court's Order entered November 4, 2019, granting Defendants' Motion to Dismiss. The November 4 order is a final, appealable order.

3. **Designation of Record.** Plaintiffs designate the entire record on appeal up to and including the Court's Order entered November 4, 2019, granting Defendants' Motion to Dismiss. Material filed of record after November 4, 2019 is not designated in this notice.

4. **Certificate of Transcript.** Plaintiffs have ordered the transcripts and made financial arrangements required by the court reporter, pursuant to Ark. Code Ann §16-13-510(c), and the Clerk to compile the record.

5. **Jurisdiction of the Supreme Court of Arkansas.** Plaintiffs appeal to the Supreme Court of Arkansas; Appellants designate subdivision (2) of Arkansas Supreme Court and Court of Appeals Rule 1-2(a), which gives the Supreme Court jurisdiction. This appeal involves the interpretation or construction of the Constitution of Arkansas. *See* Ark. Sup. Ct. R. 1-2(a)(1).

6. **Abandonment of Claims.** Plaintiffs abandon any pending but unresolved claims raised by the Amended Petition, but reserve their rights as they pertain to any pending but unresolved motions.

Respectfully submitted,

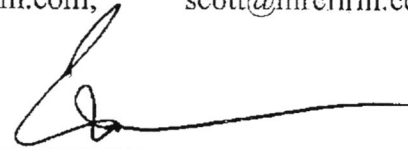
STORY LAW FIRM, PLLC

By: 

Travis W. Story (2008274)
 Gregory F. Payne (2017008)
 Katie L. Freeman (2014199)
 438 E. Millsap Rd., Suite 103
 Fayetteville, AR 72703
 (479) 443-3700
 Fax (479) 443-3701
travis@storylawfirm.com
greg@storylawfirm.com
katie@storylawfirm.com

CERTIFICATE OF SERVICE

I, Travis W. Story, hereby certify that on December 3, 2019, a copy of the foregoing was served on counsel for Defendants and Intervenor, by email to croe@dailywoods.com; clay@mccalllawpllc.com; dmcdaniel@mrcfirm.com; scott@mrcfirm.com; and bcalhoun@mrcfirm.com respectively.



Gregory F. Payne

*** FAX RX REPORT ***

RECEPTION OK

JOB NO.	5901
DESTINATION ADDRESS	UNKNOWN
SUBADDRESS	
DESTINATION ID	
ST. TIME	12/03 11:58
TX/RX TIME	01'16
PGS.	3
RESULT	OK

*** TX REPORT ***

JOB NO. 0597
ST. TIME 12/03 13:04
SHEETS 4
FILE NAME

TX INCOMPLETE 14794433701
TRANSACTION OK -----
ERROR -----

POPE
RACHEL L. OERTLING
CIRCUIT CLERK
100 W MAIN ST
RUSSELLVILLE, AR 72801
479-968-7499

RECEIPT

Customer: STORY LAW FIRM
8054465
Txd: 4044538 12/3/2019 12:59:16PM
FAX COPY 6.00
SALE OF PRODUCT
6.00
Total Due: 6.00
58CV-19-439 CHARGE 6.00
Total: 6.00

THIS IS NOT AN INVOICE

Recipient Information

To: Jennifer Duvall
Company: Pope County Deputy Chief Circuit Clerk
Fax #: 14798808463



Sender Information

From: Gregory F Payne
Company: Story Law Firm PLLC
Email address: travis@storylawfirm.com (from 99.11.65.25)
Phone #: 4794433700
Sent on: Tuesday, December 3 2019 at 12:57 PM EST

FILED
POPE CO. CIRCUIT CLERK
TIME: 11:59
DATE: 12-03-19
Gregory Payne

This fax was sent using the FaxZero.com fax service. Please send your response directly to the sender, not to FaxZero.

FaxZero.com has a zero tolerance policy for abuse and junk faxes. If this fax is spam or abusive, please e-mail support@faxzero.com or send a fax to 855-330-1238, or phone 707-400-6360. Specify fax #25727196. We will add your fax number to the block list.