

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
SIXTH DIVISION

CHRIS M. JONES

PLAINTIFF

v.

NO. 60CV-24-3690

BART F. HESTER

DEFENDANT

STATE OF ARKANSAS

PROPOSED
INTERVENOR

NOTICE OF INTERLOCUTORY APPEAL

Proposed Intervenor State of Arkansas hereby gives notice of its appeal to the Arkansas Supreme Court pursuant to the Arkansas Rules of Appellate Procedure—Civil and Rules of the Supreme Court.

1. **Appealing Parties.** The party taking this appeal is the State of Arkansas.
2. **Order Being Appealed.** The State of Arkansas appeals from the circuit court's order of December 13, 2024, denying the State's motion to intervene under Ark. Code Ann. 16-111-111(a) and Ark. R. Civ. P. 24(a) to defend the constitutionality of the Citizen Participation in Government Act.
3. **Designation of Record.** The State of Arkansas designates as the record on appeal the entire record in this matter existing as of the filing of this notice.
4. **Certificate of Transcript.** No testimony or proceeding that requires a transcript has been designated as part of the record.
5. **Jurisdiction of the Arkansas Supreme Court.** The State of Arkansas takes this interlocutory appeal pursuant to Ark. R. App. P.—Civ. 2(a)(2) as it is an appeal of an order denying

intervention as of right. *See Cupples Farms P’ship v. Forrest City Prod. Credit Ass’n*, 310 Ark. 597, 602, 839 S.W.2d 187, 190 (1992). The Supreme Court has jurisdiction to hear this appeal under Ark. Sup. Ct. R. 1-2(b)(4) because it involves an issue of substantial public interest, the Attorney General’s right to defend the constitutionality of laws enacted by the General Assembly; (b)(5) because it involves significant issues needing clarification and development of the law; and (b)(6) because it involves substantial questions concerning the construction and interpretation of an act of the General Assembly, Ark. Code Ann. 16-111-111(a).

6. **Abandonment of Claims.** The State of Arkansas has not asserted a claim in this matter and Rule 3(e)(vi) of the Rules of Appellate Procedure—Civil does not apply.

7. **Electronic Record.** The State of Arkansas requests an electronic record pursuant to *In re Acceptance of Records on Appeal in Electronic Format and Elimination of the Abstracting and Addendum Requirements*, 2019 Ark. 213.

Respectfully submitted,

TIM GRIFFIN
Attorney General

/s/ Asher L. Steinberg
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CERTIFICATE OF SERVICE

I certify that on December 27, 2024, I electronically filed the foregoing document to the eFlex filing system, which notifies the eFlex participants.

/s/ Asher L. Steinberg
Asher L. Steinberg