

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS  
THIRD DIVISION**

**BUTCH SMITH, HEATHER TATE WILLIAMS  
PHILLIP SMITH, AND BUTCH SMITH,  
PERSONAL REPRESENTATIVE OF THE ESTATE  
OF LINDA COLLINS-SMITH**

**PLAINTIFFS**

**VS.**

**CASE NO. 60CV-20-4645**

**ARKANSAS STATE POLICE AND  
RANDOLPH COUNTY SHERIFF'S OFFICE**

**DEFENDANTS**

**TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Upon review of the Amended Verified Complaint for Declaratory Judgment and Motion for Temporary Restraining Order and Preliminary Injunction, the Affidavit of Tess E. Stewart, and the entire file of this case, and being well and sufficiently advised in the premises, and for good cause shown:

1. On August 24, 2020, Plaintiffs filed their Verified Complaint for Declaratory Judgment and Motion for Temporary Restraining Order and Preliminary Injunction and the Affidavit of Tess E. Stewart, in which Plaintiffs seek that this Court declare that certain items contained in the investigatory files of the Arkansas State Police and the Randolph County Sheriff's Office related to the murder of Linda Collins-Smith are not public records subject to disclosure under the Freedom of Information Act, and that Defendants be restrained and enjoined from releasing their respective investigatory files until the Court has had the opportunity to conduct an

*in camera* review of said files to determine what items are not subject to disclosure to the general public.

2. Upon information and belief of Plaintiffs, the Defendants intend to disseminate their investigative files to the general public in the coming days. If the files are disseminated, said actions cannot be undone even if this Court was to later find that certain information contained in the investigative files is not public record or that dissemination of certain information violated the Plaintiffs' constitutional privacy rights. As such, said harm to Plaintiffs in absence of this Order is irreparable.

3. This Order is issued without notice to Defendants because Defendants are prepared to release their respective investigatory files to the public immediately and have no obligation not to release said information unless the herein Order is entered.

4. Defendants are hereby restrained and enjoined from releasing their respective investigative files in connection with the murder of Linda Collins-Smith.

5. The herein Order will be promptly filed in the Office of the Clerk of Court and will be promptly entered in the record.

6. A hearing will be set on Plaintiff's Verified Complaint for Declaratory Judgment and Motion for Temporary Restraining Order within fourteen (14) days from the entry of this Order, unless before that time, this Court, for good cause, extends it for a like period or the Defendants consent to a longer extension.

**IT IS SO ORDERED.**

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**CIRCUIT JUDGE**

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**DATE**

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**TIME OF ENTRY**



Arkansas Judiciary

**Case Title:** BUTCH SMITH ET AL V ARKANSAS STATE POLICE

**Case Number:** 60CV-20-4645

**Type:** ORDER OTHER

So Ordered

A handwritten signature in black ink, appearing to read "Kathleen V. Compton".

Judge Compton