SUPREME COURT OF ARKANSAS

Casey Reed v. Ken Yang; Grant County Board of Election Commissioners; Saline County Board of Election Commissioners; Geral Harrison, in His Capacity as Grant County and Circuit Clerk; Doug Curtis, in His Capacity as Saline County Clerk; Joseph Wood, in His Capacity as Chairman of the Republican Party of Arkansas; and Cole Jester, in His Capacity as Arkansas Secretary of State

Reed, 2026 Ark. 32 (Ark. 2026) · No. CV-26-61 · Decided February 12, 2026

SUMMARY

The Arkansas Supreme Court affirmed the circuit court's ruling that Casey Reed was ineligible to run for the Arkansas House of Representatives because he had pleaded guilty to a public-trust felony, and that votes cast for him could not be counted or certified. The court also affirmed Ken Yang's standing and the admission of testimony from the county prosecuting attorney, while finding no preserved error concerning limits on cross-examination. On cross-appeal, the court reversed the denial of attorney's fees and expenses and remanded for Yang to file a fee petition.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Barbara W. Webb; Shawn A. Womack; Special Justice Shane Henry; Special Justice Don Curdie; Hiland; Bronni
JURISDICTION	Supreme Court of Arkansas
DECIDED	February 12, 2026
DOCKET	CV-26-61
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Casey Reed appealed a Pulaski County Circuit Court order declaring him ineligible to run for the Arkansas House of Representatives, District 92, and ordering that votes cast for him not be counted. Ken Yang cross-appealed the denial of attorney's fees and expenses.
STANDARD OF REVIEW	Declaratory-judgment and mandamus rulings were reviewed for clear error, factual findings for clear error or whether clearly against the

	preponderance of the evidence, statutory and constitutional interpretation de novo, and evidentiary rulings for abuse of discretion.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	Casey Reed v. Ken Yang, Grant County Board of Election Commissioners, Saline County Board of Election Commissioners, Geral Harrison, in his capacity as Grant County and Circuit Clerk, Doug Curtis, in his capacity as Saline County Clerk, Joseph Wood, in his capacity as Chairman of the Republican Party of Arkansas, Cole Jester, in his capacity as Arkansas Secretary of State

TOPICS

election contests | election administration | election law | statutory interpretation | appellate procedure

PRACTICE AREAS

election law | constitutional law | statutory interpretation | appellate procedure | remedies | evidence

QUESTIONS PRESENTED

1. Whether Ken Yang, although not a resident of District 92, had statutory standing as an Arkansas citizen to seek enforcement under Arkansas Code Annotated section 21-8-303.
2. Whether Reed's guilty plea to a public-trust felony rendered him ineligible to file as, run as, or hold a constitutional office under Arkansas Code Annotated section 21-8-305 and the Arkansas Constitution.
3. Whether the circuit court improperly admitted Teresa Howell's testimony under Arkansas Rule of Professional Conduct 3.7.
4. Whether the circuit court improperly denied Reed the opportunity to cross-examine Howell.
5. Whether Yang was entitled to mandatory attorney's fees and expenses under Arkansas Code Annotated section 21-8-303(b)(2), and whether the circuit court erred by denying fees without allowing a fee petition.

HOLDINGS

1. An Arkansas citizen may bring an action under Arkansas Code Annotated section 21-8-303(b)(1) when the prosecuting attorney has failed or refused to enforce the public-trust-crime provisions; the statute's reference to 'any citizen of this state' does not require residence in the legislative district at issue.
2. A person who has pleaded guilty to a public-trust felony is ineligible to file as, run as, or hold a constitutional office, including a seat in the General Assembly.
3. The circuit court did not abuse its discretion by allowing Yang to call Howell as a witness because her testimony was material, unavailable from another source, and potentially prejudicial to her clients under the applicable three-part attorney-witness test.

4. The court would not reach the merits of Reed's challenge to the limitation on cross-examination because Reed failed to preserve the issue by making a specific proffer of the questions he wished to ask.
5. A prevailing citizen plaintiff under Arkansas Code Annotated section 21-8-303(b)(2) is entitled to reasonable attorney's fees and expenses, and the circuit court erred by denying fees without allowing Yang the fourteen-day period to file a fee petition under Rule 54(e)(2).

KEY QUOTATIONS

> *"“any citizen of this state” is clear enough to be given its plain and ordinary meaning."* (2026 Ark. 32, at 4)

> *"“Pleaded guilty” plainly means “pleaded guilty.”"* (2026 Ark. 32, at 5)

> *"The citizen shall be entitled to receive reimbursements for expenses and reasonable attorney's fees upon the successful outcome of such litigation."* (2026 Ark. 32, at 9)

FACTUAL BACKGROUND

Casey Reed was a candidate in the Republican primary for the Arkansas House of Representatives, District 92, and had been certified for placement on the ballot by the Grant and Saline County Boards of Election Commissioners. Reed had pleaded guilty in 2012 to abuse of public trust, a Class D felony, and his name had already appeared on printed ballots. Ken Yang, an Arkansas citizen who did not reside in District 92, sued after Grant County Prosecuting Attorney Teresa Howell knew of Reed's possible criminal conviction but did not act to remove him from the ballot.

PROCEDURAL HISTORY

Ken Yang filed an action for declaratory judgment and a writ of mandamus on December 22, 2025, seeking to prevent Reed from appearing on the ballot or having votes counted because Reed had pleaded guilty to a public-trust felony. The circuit court granted declaratory and mandamus relief on January 12, 2026, but denied Yang attorney's fees and costs. The Supreme Court of Arkansas granted expedited consideration, treated Reed's certiorari petition as a request for an expedited appeal, affirmed on direct appeal, and reversed and remanded on the cross-appeal for consideration of Yang's fee petition.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The direct appeal was affirmed. On the cross-appeal, the denial of attorney's fees and expenses was reversed, and the case was remanded to the circuit court to allow Yang to file a fee petition. The mandate was ordered to issue immediately.

CASES CITED

- Haile v. Johnston, 2016 Ark. 52, 482 S.W.3d 323

- City of Helena-West Helena v. Williams, 2024 Ark. 102, 689 S.W.3d 6
- Wyatt v. Carr, 2020 Ark. 21, 592 S.W.3d 656
- Proctor v. Daniels, 2010 Ark. 206, 392 S.W.3d 360
- King v. Davis, 324 Ark. 253, 920 S.W.2d 488 (1996)
- Campbell v. Entergy Arkansas, Inc., 363 Ark. 132, 211 S.W.3d 500 (2005)
- Weigel v. Farmers Insurance Co., Inc., 356 Ark. 617, 158 S.W.3d 147 (2004)
- Leaks v. State, 339 Ark. 348, 5 S.W.3d 448 (1999)
- Marcum v. Wengert, 344 Ark. 153, 165, 40 S.W.3d 230, 238 (2001)
- Gibson v. Buonauito, 2022 Ark. 206, 655 S.W.3d 59
- Blackburn v. Lonoke County Board of Election Commissioners, 2022 Ark. 176, 652 S.W.3d 574
- Thurston v. League of Women Voters of Arkansas, 2022 Ark. 32, 639 S.W.3d 319

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