

BEFORE THE ARKANSAS CEMETERY BOARD

IN THE MATTER OF

EARNESTINE MOLDEN

Order regarding a complaint filed
Against Haven of Rest Cemetery
Pursuant to
Ark. Code Ann. § 20-17-1006 (1)

ORDER NO. C-06-030-06-OR01

ORDER

A meeting of the Arkansas Cemetery Board (“Board”) was held on August 30, 2006.

Considered at the meeting was a complaint by Earnestine Molden (“complainant”) against Haven of Rest Cemetery (“licensee”).

FINDINGS OF FACT

1. The licensee is a perpetual care cemetery in Little Rock, Arkansas, within the meaning of the Cemetery Act for Perpetually Maintained Cemeteries, Act 352 of 1977, as amended (“Act”), and is subject to the Act and Board.
2. The licensee interred Lizzie McDaniel, the complainant’s mother, on May 21, 1994.
3. At the time of the interment, a marker was not placed on the gravesite.
4. At the time of the interment, the licensee was owned and operated by William Acklin.
5. The funeral was performed by William Acklin Funeral Home, owned and operated by William Acklin. William Acklin Funeral Home currently operates under the name Hardy Funeral Home.
6. William Acklin’s current whereabouts are unknown.
7. The licensee is currently operated under receivership by Stephanie Webb.

8. The licensee produced an interment log which lists the date of the interment, but does not list the location.
9. The licensee produced a Service Order and Agreement which lists the date of the interment, but does not list the location.
10. The building William Acklin Funeral Home operated in is currently owned by Board member Stephen Whitwell. Stephen Whitwell was not in attendance at the meeting.
11. The location of Lizzie McDaniel's interment is unknown.

CONCLUSIONS OF LAW

12. Ark. Code Ann. § 20-17-1006 (1) authorizes the Arkansas Cemetery Board to conduct at any time and from time to time such reasonable periodic, special, or other examination of any cemetery or cemetery company, including, but not limited to, an examination of the physical condition or appearance of the cemetery, the financial condition of the company and any trust funds maintained by the company, and such other examinations as the board or secretary deems necessary or appropriate in the public interest

OPINION

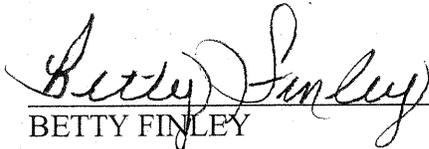
13. The Board feels it is in the public interest to locate unknown interments in a licensed perpetual care cemetery.

ORDER

IT IS THEREFORE ORDERED that the staff of the Arkansas Securities Department enlist the assistance of Stephen Whitwell in examining any available record relating to the burial of Lizzie McDaniel from Hardy Funeral Home.

DATED THIS 12th DAY OF SEPTEMBER, 2006.

ARKANSAS CEMETERY BOARD



BETTY FINLEY
Chairperson



MICHAEL B. JOHNSON
Secretary