

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 2, 2014

ROBERT J. GLADWIN, CHIEF JUDGE:

[CV-13-534](#). Ives Transportation, Inc., Ronnie O'Neal, and Pennye O'Neal v. Daren Ives, Daren Ives Transportation, Inc., Tommy Ives, Janet Iglesias, Nationwide Trucking Services, LLC, and Harold Ives, from Garland County Circuit Court. Appeal dismissed. Walmsley and Whiteaker, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CV-13-849](#). The Logan Centers, Inc., et al. v. Carla Walker, as Administratrix of the Estate of Antonio Cozart, from St. Francis County Circuit Court. Reversed and remanded. Glover and Vaught, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CR-13-675](#). Raymundo Guana-Lopez v. State of Arkansas, from Howard County Circuit Court. Reversed and remanded. Gladwin, C.J., and Whiteaker, J., agree.

BRANDON H. HARRISON, JUDGE:

[CR-13-331](#). Quintrell Richardson v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Remanded to settle and supplement the record; rebriefing ordered. Brown and Hixson, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CR-13-736](#). Devinn Deshawn Sheppard v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Gruber and Wood, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-13-786](#). J.B. Banning and Ann E. Banning v. LNV Corporation, MGC Mortgage, Inc., and Kent Anderson, Trustee, from Garland County Circuit Court. Affirmed. Wynne and Wood, JJ., agree.

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DAVID M. GLOVER, JUDGE:

[CR-13-805](#). Agustin Rodriguez-Gonzalez v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Pittman and Vaught, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-13-648](#). Donnie Summerford, Jr. v. State of Arkansas, from Cleveland County Circuit Court. Affirmed. Gladwin, C.J., and Walmsley, J., agree.

LARRY D. VAUGHT, JUDGE:

[CV-13-894](#). Freddy McDougal and Linda McDougal v. Sabine River Land Company, a Texas Corporation, XTO, and Energy Inc., a Texas Corporation, from Independence County Circuit Court. Dismissed. Pittman and Glover, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-13-1025](#). Mary Phifer and Tommy Phifer v. SEECO, Inc., Southwestern Energy Company, and Arkansas Oil and Gas Commission, from Pulaski County Circuit Court, Sixth Division. Reversed and remanded. Harrison and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-13-590](#). Kenneth Brooks and Ella Brooks v. Terry Abstract Co. and Centerpoint Energy Gas Transmission Co., LLC, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Harrison and Hixson, JJ., agree.

[CV-13-728](#). Vanessa Perez v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Sixth Division. Affirmed; motion to withdraw granted. Wynne and Hixson, JJ., agree.

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PER CURIAM DECISIONS

The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).

- E-13-930. Lenora Wilkins v. Director et al.
- E-13-931. Kandess Scott v. Director et al.
- E-13-932. Ronald Williams v. Director et al.
- E-13-933. Sonya Pugh v. Director et al.
- E-13-934. Dennis Brinkley v. Director et al.
- E-13-935. Lourdes Frias v. Director et al.
- E-13-936. Lamar Lewis v. Director et al.
- E-13-938. Cemantha Wolljung v. Director et al.
- E-13-940. Candy Stewart v. Director et al.
- E-13-941. Juan San Juan v. Director et al.
- E-13-942. Alicia Riley v. Director et al.
- E-13-943. Martiesha Bell v. Director et al.
- E-13-944. Audrey Foster v. Director et al.
- E-13-945. Dexter Corner v. Director et al.
- E-13-946. Alton Buckv. Director et al.
- E-13-947. Doderick McGhee v. Director et al.
- E-13-948. Sheila Villines v. Director et al.
- E-13-949. Felicia Forte v. Director et al.

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- E-13-950. Jeff Slatton v. Director et al.
- E-13-951. Kevin Goines v. Director et al.
- E-13-952. Terry Butler v. Director et al.
- E-13-953. Vicki Lynch v. Director et al.
- E-13-955. Ronald Scott, Jr. v. Director et al.
- E-13-956. Antonio Everett v. Director et al.
- E-13-957. Sarah Zuziak v. Director et al.
- E-13-958. James Croy v. Director et al.
- E-13-959. Gerald Bennett v. Director et al.
- E-13-960. Carolyn Johnson v. Director et al.
- E-13-961. Leon Lollis v. Director et al.
- E-13-962. Eric Ross v. Director et al.
- E-13-963. Wanda Green v. Director et al.
- E-13-964. Betty Jean Smith v. Director et al.
- E-13-965. Sharon Gabriel v. Director et al.
- E-13-966. Brenda Files v. Director et al.
- E-13-967. Keynon Bragg, Jr. v. Director et al.
- E-13-968. Richard Yarbrough v. Director et al.
- E-13-969. Montoya Ferguson v. Director et al.
- E-13-970. Rickey Shields v. Director et al.

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E-13-972. Diedre Bingham v. Director et al.

E-13-973. Mark Dean v. Director et al.

E-13-974. Pamela Kilpatrick v. Director et al.

E-13-975. David Martinez v. Director et al.

E-13-976. Ira Goodman v. Director et al.

E-13-977. Chelonda Freeman v. Director et al.

E-13-978. David Miller v. Director et al.

E-13-979. Louis Bonner v. Director et al.

E-13-980. Karen Hannah v. Director et al.

E-13-981. Alan Rieder v. Director et al.

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PER CURIAM ORDERS

PETITIONS FOR REHEARING: Petitions for rehearing were denied today in the following cases.

CV-12-450. George Hobson and Montie Hobson v. Entergy Arkansas, Inc., from Pulaski County Circuit Court, Sixth Division.

CV-13-524. Joey Hoosier, Cyrena Hoosier, and Mike and Annette Hoosier as Guardian of Rebecka Hoosier v. Interinsurance Exchange of the Automobile Club, from Garland County Circuit Court.

[CV-13-607](#). Jason Hearst v. Billy Paul Baker, Individually and in His Official Capacity as Chief of Police for the City of Mayflower, Arkansas, from Faulkner County Circuit Court. See substituted opinion on denial of rehearing. Harrison, Wynne, Gruber, Glover and Whiteaker, JJ., agree.

CV-13-730. Death & Permanent Total Disability Trust Fund v. Andrew Myers, Deceased, Samantha Myers, Dixieland Gin Repair, Inc., Zurich American Insurance Company, and Haley Morris, from the Arkansas Workers' Compensation Commission.

CR-12-524. Aaron Anthony Flemmons v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Shana R. Woodard for attorney's fees is granted. Allowed \$1,800.00.

CR-13-211. Robert Lee Fellows v. State of Arkansas, from Hempstead County Circuit Court. Motion of Anthony S. Biddle for attorney's fees is granted. Allowed \$1,800.00.

CR-13-616. Kenneth Norwood v. State of Arkansas, from Grant County Circuit Court. Motion of Phillip C. Wilson for attorney's fees is granted. Allowed \$1,800.00.

CR-13-639. Joe King, II v. State of Arkansas, from Polk County Circuit Court. Motion of Randy C. Rainwater for attorney's fees is granted. Allowed \$1,725.00.

CR-13-887. Michael Lee Ring v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Paul J. Teufel for attorney's fees is granted. Allowed \$1,800.00.

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PER CURIAM ORDERS

CV-13-949. Kimberly Stibich v. Adam S. Stibich, from Garland County Circuit Court. Pro se motion for expedited ruling on the briefs, specifically custody is denied.

CV-14-71. Mattie Patterson v. Southland Racing Corporation, from Crittenden County Circuit Court. Appellee's motion to dismiss appeal is granted. Appellant's motion for time to respond or to file brief is moot. Glover, J., not participating.

E-14-123. Floyd Adams v. Director et al., from the Arkansas Board of Review. Respondent's motion to remand is granted.

E-14-195. Jeffery Steward v. Director et al., from the Arkansas Board of Review. Pro se motion to file belated appeal is denied.

The following case is dismissed for failure to file briefs in accordance with Supreme Court Rule 4-5.

CV-13-652. Lynne Fogerson v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-12-1027. Charles Stutte v. State of Arkansas, from Washington County Circuit Court.

CV-13-475. Charles Smith v. Christina Hudgins, from White County Circuit Court.

CV-13-679. Diamond State Insurance Company v. Dillion Rippy and Brenda Rippy, from Bradley County Circuit Court.

CV-13-753. Ken David Swindle v. Southern Farm Bureau Casualty Insurance Co., from Benton County Circuit Court.

CR-13-226. Darron Aikens v. State of Arkansas, from Crittenden County Circuit Court. Motion of C. Brian Williams for attorney's fees.

CR-13-485. Gregory Simpson Jones v. State of Arkansas, from Stone County Circuit Court. Appellee's motion to dismiss appeal.

CR-13-817. T.N. v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip McGough to withdraw as counsel for appellant.

CR-13-817. T.N. v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip McGough for attorney's fees.

CR-13-917. Omar Griffis v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Pro se motion to order attorney to provide appellant with a copy of the entire trial court record.

CR-14-2. Jarmal Carlos Williams v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on clerk to file tendered belated brief.

CR-14-153. Joe L. Bell III v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Pro se motion for copy of record and transcript of appeal.

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MOTIONS SUBMITTED

CV-13-457. Kent Smith, DVM v. Kimberly V. Freeman and Armistead Council Freeman, Jr., from Perry County Circuit Court. Appellees' motion to dismiss appeal.

CV-13-819. Garry Clayton and Zelma Magby v. Batesville Casket Company, Inc., and Humphrey Funeral Service, Inc., from Pope County Circuit Court. Motion of Brett Watson to withdraw as counsel for appellee Humphrey Funeral Service, Inc.

CV-13-819. Garry Clayton and Zelma Magby v. Batesville Casket Company, Inc., and Humphrey Funeral Service, Inc., from Pope County Circuit Court. Appellants' motion to file belated brief.

CV-13-962. Jasper School District No. 1 of Newton County et al. v. Anita Cooper, from Johnson County Circuit Court. Appellants' motion to strike.

CV-13-1015. Clay V. Jackson v. Charles Brooks Company, Inc., et al., from the Arkansas Workers' Compensation Commission. Appellees' motion to dismiss appeal.

CV-13-1062. Barbara Posey v. GEICO Indemnity Insurance Company, from Crittenden County Circuit Court. Appellee's motion to dismiss appeal.

CV-13-1068. Paul Criswell v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Eighth Division. Appellant's pro se motion for reconsideration of denial of motion for appointment of new counsel and for continuance.

CV-14-22. Marcie Treadwell v. Arkansas Department of Human Services and Minor Child, from Benton County Circuit Court. Appellant's motion to file belated brief.

CV-14-159. John Burkhalter v. Kent G. Vestal, Jr., and Burkhalter-Vestal, LLC, from Pulaski County Circuit Court, Thirteenth Division. Appellees' motion to dismiss appeal

CV-14-174. Brandy Jung v. Arkansas Department of Human Services, from Carroll County Circuit Court. Appellant's motion to correct the record and to stay briefing schedule.

E-14-85. Beverly Cross v. Director et al., from the Arkansas Board of Review. Pro se motion to file new evidence.

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MOTIONS SUBMITTED

E-14-165. Denise Seymore v. Director et al., from the Arkansas Board of Review. Pro se motion to add evidence.

E-14-205. Debra Strong v. Director et al., from the Arkansas Board of Review. Pro se motion to file belated appeal.

The following cases are called for dismissal for failure to file briefs in accordance with Supreme Court Rule 4-5.

CV-12-948. Peter Sam Cyphers v. Louis Lee Cyphers et al., from Union County Circuit Court.

CV-12-1111. Michael Long v. Brian Green, from Faulkner County Circuit Court.

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CASES SUBMITTED

CR-13-473. Leland M. Fleming v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-13-579. Richard Eli Hart v. State of Arkansas, from Union County Circuit Court.

CR-13-696. Cleveland Lee Wright v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-13-796. Gregory J. Croseford v. State of Arkansas, from Jefferson County Circuit Court.

CR-13-960. Tom Buck Steele v. State of Arkansas, from Hot Spring County Circuit Court.

CV-13-306. Lewis M. Yancy, Jr., v. Moneatha Yancy, from Jefferson County Circuit Court.

CV-13-770. Jean Doran v. Arkansas Department of Human Services, from Sebastian County Circuit Court, Fort Smith District.

CV-13-976. The Ballard Group, Inc. v. BP Lubricants, Inc., and Tracy Curtis King, from Benton County Circuit Court.

CV-13-989. A. Powell Sanders v. Ann Kay Passmore, from Sebastian County Circuit Court, Fort Smith District.

CV-13-1072. Robert Fureigh v. Michael G. Horn and W.M. Hogan, from Pulaski County Circuit Court, Second Division.

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CASES SUBMITTED

The following cases are appeals from the Arkansas Board of Review.

E-13-67. Johnny Grant v. Director et al.

E-13-287. Christopher Allen v. Director et al.

E-13-1032. Kathryn Martino v. Director et al.

E-13-1034. Antonio Henderson v. Director et al.

E-13-1035. Rosa Ayala v. Director et al.

E-13-1036. Arkansas Laminating v. Director et al.

E-13-1037. Carmen Diffie v. Director et al.

E-13-1039. Jimmy Brickell v. Director et al.

E-13-1040. James Phillips v. Director et al.

E-13-1042. Belinda Mingués v. Director et al.

E-13-1043. Shirley Mote v. Director et al.

E-13-1044. Morris McCoy v. Director et al.

E-13-1045. Rhonda Stokes v. Director et al.

E-13-1046. Christopher White v. Director et al.

E-13-1047. Matricia Ford v. Director et al.

E-13-1048. Brandi Harper v. Director et al.

E-13-1049. Shalon Davis v. Director et al.

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CASES SUBMITTED

E-13-1050. Elizabeth Riddling v. Director et al.

E-13-1051. Emmett Bradberry v. Director et al.

E-13-1052. Amanda Slape v. Director et al.

E-13-1053. Annette Holcombe v. Director et al.

E-13-1054. Wonda Grayson v. Director et al.

E-13-1055. Jeannie Shockley v. Director et al.

E-13-1056. Carmen Byrd v. Director et al.

E-13-1057. Mario Garcia v. Director et al.

E-13-1058. Raymond Johnson v. Director et al.

E-13-1059. Kimberly Axelson v. Director et al.

E-13-1060. Kris Lamb v. Director et al.

E-13-1061. Juanita Thomas v. Director et al.

E-13-1062. Jackie Ethridge v. Director et al.

E-13-1063. Jacqueline Manning v. Director et al.

E-13-1066. Jose Parra v. Director et al.

E-13-1067. Gregory Ross v. Director et al.

E-13-1068. Alfred Chamness v. Director et al.

E-13-1069. Charles Edgin v. Director et al.

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CASES SUBMITTED

E-13-1070. Monte Palmer v. Director et al.

E-13-1071. Carlos Coleman v. Director et al.

E-13-1072. Katherine Jaber v. Director et al.

E-13-1073. Dexter Allen v. Director et al.

E-13-1074. Taleisha Alcorn v. Director et al.

E-13-1075. Reginald Robinson v. Director et al.

E-13-1077. Kristy Washington v. Director et al.

E-13-1078. Kristel Earl v. Director et al.

E-13-1079. Crissy Slaughter v. Director et al.

E-13-1080. Darrell Wilson v. Director et al.

E-13-1081. Michael Allgier v. Director et al.

E-13-1082. Adam Gilbert v. Director et al.

E-13-1083. Hazel Schuetz v. Director et al.

E-13-1084. Susan Juel v. Director et al.

E-13-1085. Angela Judkins v. Director et al.

Opinions are available on the internet at

<http://courts.arkansas.gov>