

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 4, 2014

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-13-650](#). John Anthony Houston v. State of Arkansas, from Cleburne County Circuit Court. Dismissed; motion to withdraw granted. Vaught and Brown, JJ., agree.

[CV-13-452](#). Rhodis Smith v. Venita Lovelace and Herschel Lovelace, from Pulaski County Circuit Court, Ninth Division. Affirmed. Vaught and Brown, JJ., agree.

[CV-13-899](#). Toby LaPointe v. New Technology, Inc., from Benton County Circuit Court. Affirmed; motion to dismiss granted in part. Walmsley and Harrison, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CR-13-635](#). Deandre Connors v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Affirmed; motion to withdraw granted. Hixson and Wood, JJ., agree.

[CV-13-869](#). Brittany Olszewski v. Arkansas Department of Human Services, from Washington County Circuit Court. Affirmed; motion to withdraw granted. Hixson and Wood, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CR-13-164](#). Christopher Clark v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Harrison and Wynne, JJ., agree.

[CR-13-1012](#). Denarius A. Martin v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Harrison and Wynne, JJ., agree.

[CV-12-1102](#). Regina Foley v. Sean Foley, from Pulaski County Circuit Court, Fourteenth Division. Affirmed. Harrison and Wynne, JJ., agree.

[CV-14-28](#). Jeff J. Spaletta v. Renada R. Williams, from Crittenden County Circuit Court. Affirmed. Harrison and Wynne, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CR-13-773](#). Jeremiah Stewart v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Walmsley and Harrison, JJ., agree.

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RITA W. GRUBER, JUDGE:

[CR-13-687](#). Shantell L. Perkins v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion granted. Glover and Whiteaker, JJ., agree.

[CV-13-944](#). Cassie Lackey Dornan v. Arkansas Department of Human Services and Minor Children, from the Benton County Circuit Court. Affirmed. Whiteaker, J., agrees. Glover, J., concurs.

DAVID M. GLOVER, JUDGE:

[CR-13-1022](#). Roy Lee Russell v. State of Arkansas, from Desha County Circuit Court. Affirmed. Gruber and Whiteaker, JJ., agree.

[CR-13-1034](#). Erik Heigelmann v. State of Arkansas, from Miller County Circuit Court. Affirmed; motion to withdraw granted. Gruber and Whiteaker, JJ., agree.

[CV-13-965](#). Donald Duvall v. Chiung-Fang Liang, from Pope County Circuit Court. Reversed. Gruber and Whiteaker, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-13-930](#). Tia Harris v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed; motion to withdraw as counsel granted. Gruber and Glover, JJ., agree.

[CV-13-646](#). Billie Jo Crump Adams v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District. Affirmed; motion to be relieved granted. Gruber and Glover, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-13-1030](#). John Everett Block, Jr. V. State of Arkansas, from Hempstead County Circuit Court. Rebriefing ordered; motion to withdraw denied. Gladwin, C.J., and Brown, J., agree.

[CR-13-1039](#). Sergio Jamar Haynes v. State of Arkansas, from Sebastian County Circuit Court. Fort Smith District. Affirmed. Gladwin, C.J., and Brown, J., agree.

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LARRY D. VAUGHT, JUDGE: (Continued)

[CV-13-1061](#). Acceptance Indemnity Insurance Company v. Southwest Arkansas Electric Cooperative Corporation and Charles Glover, from Miller County Circuit Court. Affirmed. Gladwin, C.J., and Brown, J., agree.

KENNETH S. HIXSON, JUDGE:

[CR-13-688](#). Monica Renea May v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion granted. Pittman and Wood, JJ., agree.

[CV-14-148](#). Jeff Freeman v. Arkansas Department of Human Services and Minor Child, from Craighead County Circuit Court, Western District. Affirmed; motion to withdraw granted. Pittman and Wood, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CR-13-689](#). Paul Henyard v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Pittman and Hixson, JJ., agree.

[CV-13-1127](#). Jennifer Holt and Joel Holt v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to withdraw granted. Pittman and Hixson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-13-748](#). Timothy J. Dewitt v. State of Arkansas, from Pulaski County Circuit Court, First Division. Reversed and remanded. Gladwin, C.J., and Vaught, J., agree.

[CV-14-79](#). Charleen Horton v. Arkansas Department of Human Services and Minor Children, from Conway County Circuit Court. Affirmed; motion to withdraw granted. Gladwin, C.J., and Vaught, J., 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-13-1275. Marcia Luttrell v. Director et al.

E-13-1276. Shanese Brown v. Director et al.

E-13-1278. Jamie Adams v. Director et al.

E-13-1279. Tommy Harris v. Director et al.

E-14-2. Tabbata Corley v. Director et al.

E-14-3. Paula Latham v. Director et al.

E-14-5. Corey Wakefield v. Director et al.

E-14-6. Sandra Gray v. Director et al.

E-14-8. Michelle Thompson v. Director et al.

E-14-9. Tonia Garner v. Director et al.

E-14-11. Timothy Higginbotham v. Director et al.

E-14-12. Sammy Hughes v. Director et al.

E-14-14. Rickey Hampton v. Director et al.

E-14-15. Bobby Banister v. Director et al.

E-14-17. Franchesca Green v. Director et al.

E-14-18. Charles Beard v. Director et al.

E-14-20. Roosevelt Beal v. Director et al.

E-14-21. Derrick Burnett v. Director et al.

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E-14-23. Christine Diamond v. Director et al.

E-14-24. Marcus Dale v. Director et al.

E-14-26. Gary Burton v. Director et al.

E-14-28. Gwendolyn Thomas v. Director et al.

E-14-30. Breyona Edwards v. Director et al.

E-14-31. Yvonne Otwell v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 4, 2014

PER CURIAM ORDERS

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

CV-13-466. Sarah T. Brantley and James William Brantley v. Northwest Arkansas Hospitals, LLC d/b/a Northwest Medical Center-Bentonville; Scott Smith, M.D., Pinnacle Women's Health Care PLC; and Diane Wyatt, R.N., from Benton County Circuit Court.

CV-13-1013. Arkansas Federal Credit Union v. Eleanor Pigg, from Pulaski County Circuit Court, Fifth Division.

CR-12-950. Thomas Rainey v. State of Arkansas, from Dallas County Circuit Court. Appellant's motion to reconsider order denying petition for writ is denied.

CR-13-204. Trenton Holley v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to correct the record and for brief time to file supplemental brief is denied.

CR-13-771. Christopher Seaton v. State of Arkansas, from Crittenden County Circuit Court. Motion of Shaun Hair for attorney's fees is granted. Allowed \$1,800.00.

CR-13-1094. Moses A. Kimmons v. State of Arkansas, from Crittenden County Circuit Court. Motion for rule on clerk is denied. Motion for extension of time to file brief is moot.

CR-13-1094. Moses A. Kimmons v. State of Arkansas, from Crittenden County Circuit Court. Appellee's motion to dismiss appeal is denied.

CR-13-1119. Adam D. Roe v. State of Arkansas, from Crittenden County Circuit Court. Motion for rule on clerk is denied. Motion for extension of time to file brief is moot.

CR-14-146. Andrew M. Holland v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion and amended motion for leave to extend page limit is denied. Appellant's tendered brief in compliance with page limits is filed this date.

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PER CURIAM ORDERS

CR-14-155. Edward A. Walton v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on clerk is granted. Appellant's corrected brief due June 14, 2014. Wood, J., not participating.

CV-13-821. J.J. v. State of Arkansas, from Benton County Circuit Court. Motion of Brett Watson for attorney's fees is granted. Allowed \$1,800.00.

CV-13-949. Kimberly Stibich v. Adam S. Stibich, from Garland County Circuit Court. Appellant's motion and amended motion for reconsideration or in the alternative to strike is denied.

CV-14-174. Brandy Jung v. Arkansas Department of Human Services, from Washington County Circuit Court. Appellant's motion to stay and consolidate with CV-14-200 is granted.

CV-14-200. Rodney Evans v. Arkansas Department of Human Services, from Washington County Circuit Court. Appellant's motion to stay and consolidate with CV-14-174 is granted.

CV-14-229. Marcia Jane Shepherd v. James Jones, from Pulaski County Circuit Court, Twelfth Division. Appellant's petition for writ of certiorari to complete the record and for extension of brief time is granted. Gruber, J., not participating.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-13-340. Donald Ray Stratton, Jr. v. Linda Jean Stratton, Personal Representative of the Estate of Donald Ray Stratton, Sr., from Benton County Circuit Court.

CV-13-550. Linda J. Earls v. Harvest Credit Management VI-B, LLC, from Greene County Circuit Court.

CR-13-174. Donald D. Edwards v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CR-13-569. Renford S. Williams II v. State of Arkansas, from Faulkner County Circuit Court. Motion of Christopher Lacy for attorney's fees.

CR-13-836. Donnie Slater v. State of Arkansas, from Arkansas County Circuit Court. Appellant's pro se motion to amend petition for amended pro se points.

CR-13-1011. Roy Martin Barber v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CR-13-1014. Edward Juanito Boyd v. State of Arkansas, from Sebastian County Circuit Court. Motion of David L. Dunagin for attorney's fees.

CR-14-55. Gregory S. Crum v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on the clerk.

CR-14-365. H.V. v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for leave of the court to not abstract videotape exhibit.

CV-13-457. Kent Smith, DVM v. Kimberly V. Freeman and Armistead Council Freeman, Jr., from Perry County Circuit Court. Appellant's pro se motion to file belated reply brief.

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MOTIONS SUBMITTED

CV-13-770. Jean Doran v. Arkansas Department of Human Services, from Sebastian County Circuit Court, Fort Smith District. Appellee's motion to dismiss for failure to timely file supplemental record and memorandum of authorities.

CV-13-814. C.C. v. State of Arkansas, from Saline County Circuit Court. Motion of F. Parker Jones, III, for attorney's fees.

CV-13-1134. Albert Coleman v. Eric Strom and Ida Strom, from Pulaski County Circuit Court, Sixteenth Division. Appellant's motion for appointment of counsel, to allow counsel, Bridgette Frazier, to withdraw and for stay of proceedings.

CV-14-87. Daren Cason v. Gladys Lambert, Leone K. Henrickson, and Union Bank & Trust Company, from Drew County Circuit Court. Appellant's pro se motion to stay or to extend time to file brief.

CV-14-128. John F. Dunn et al. v. American Mortgage Associates et al., from Pulaski County Circuit Court, Seventeenth Division. Appellants' motion to supplement the record and to extend time for filing brief.

CV-14-195. Donnie Hudson v. Arkansas Department of Human Services, from Washington County Circuit Court. Appellees' motion to dismiss appeal and stay briefing schedule.

CV-14-225. Mary Collins v. Ava Leutholt, Richard Leutholt and Leutholt Properties, LLC, from Randolph County Circuit Court. Appellant's motion to remand or for extension of brief time.

CV-14-231. Billy J. Kain, Jr. v. Michael Kain and Lenay Kain, from Craighead County Circuit Court, Eastern District. Appellant's pro se motion to file a belated brief.

CV-14-394. April Young v. Arkansas Department of Human Services, from Jefferson County Circuit Court. Appellant's motion to correct the record and to stay brief time.

CV-14-457. Paul Anthony Graver v. City of Alexander, Arkansas, from Pulaski County Circuit Court, Sixth Division. Motion of Carla L. Miller to withdraw as counsel for appellee.

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CASES SUBMITTED

CR-11-617. Daniel Weaver v. State of Arkansas, from Crawford County Circuit Court.

CR-13-89. Lemonza Devat Tolliver v. State of Arkansas, from Hempstead County Circuit Court.

CR-13-117. Seimond S. Evans v. State of Arkansas, from Union County Circuit Court.

CR-13-257. Timothy Allen Fiveash v. State of Arkansas, from Boone County Circuit Court.

CR-13-698. Daniel R. Klosky v. State of Arkansas, from Faulkner County Circuit Court.

CR-13-724. Frederick Rainey v. State of Arkansas, from Cleveland County Circuit Court.

CR-13-755. Joshua Martin Featherston v. State of Arkansas, from Crawford County Circuit Court.

CR-13-776. Michael A. Davis v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-790. Christopher D. Bledsoe v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-791. Anthony D. Granger v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-844. Resheila Chaisson v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-845. Ian Patterson v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-860. Tonya Renee Gaines v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-878. Gary Carter v. State of Arkansas, from Crittenden County Circuit Court.

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CASES SUBMITTED

CR-13-900. Earl Mangum, III v. State of Arkansas, from Saline County Circuit Court.

CR-13-901. Shawn Patrick McCarty v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District.

CR-13-902. Verlin Lynn Sherril v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-13-943. James Prackett v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-946. James Boeta v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-947. Ricky Vail V. State of Arkansas, from Crittenden County Circuit Court.

CR-13-974. Donald Ray Miller v. State of Arkansas, from Drew County Circuit Court.

CR-13-1086. Justin B. Alberson v. State of Arkansas, from Hempstead County Circuit Court.

CR-14-43. Eddie Joe Andry v. State of Arkansas, from Garland County Circuit Court.

CR-14-61. Damien Crump v. State of Arkansas, from Jefferson County Circuit Court.

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CASES SUBMITTED

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

- E-14-45. Dawnkwee Boyd v. Director et al.
- E-14-46. Nivia Landon v. Director et al.
- E-14-47. Roderick Hickman v Director et al.
- E-14-48. Adrienne Sanders v. Director et al.
- E-14-49. Harold Appukuttan v. Director et al.
- E-14-50. Cynthia Lowery v. Director et al.
- E-14-51. Carl Beasley v. Director et al.
- E-14-52. Jeremy Byers v. Director et al.
- E-14-53. Vanita Payne v. Director et al.
- E-14-54. Heather Lemberg v. Director et al.
- E-14-55. Chico Childs v. Director et al.
- E-14-56. Cheryl Jones v. Director et al.
- E-14-57. James Schmidt v. Director et al.
- E-14-58. Barry Jackson v. Director et al.
- E-14-59. Delvin Davey v. Director et al.
- E-14-60. Johnny Hamilton v. Director et al.
- E-14-62. Glen Baty v. Director et al.
- E-14-63. Robbie Mashburn v. Director et al.

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CASES SUBMITTED

E-14-64. John Trass v. Director et al.

E-14-65. Shawn Wood v. Director et al.

E-14-66. Whitney Christie v. Director et al.

E-14-67. Melvin Plummer v. Director et al.

E-14-68. Katherine Brown v. Director et al.

E-14-69. Denny Sharp v. Director et al.

Opinions are available on the internet at

<http://courts.arkansas.gov>