

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 24, 2014

ROBERT J. GLADWIN, CHIEF JUDGE:

[CV-14-65](#). City of Jacksonville, Arkansas v. Graham Dewitt Nixon, Walter W. Nixon III, and Dana Nixon, from Pulaski County Circuit Court, Fifth Division. Affirmed. Wood and Brown, JJ., agree.

[CV-14-180](#). Rayne Phillips v. David Phillips, from Saline County Circuit Court. Affirmed. Wood and Brown, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CV-14-195](#). Donnie Hudson v. Arkansas Department of Human Services, from Washington County Circuit Court. Appeal dismissed. Walmsley and Hixson, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CV-13-1042](#). Ida King and Kenneth Caldwell v. Leslie Jackson and Karen Jackson, from Pulaski County Circuit Court, Fifth Division. Dismissed. Pittman and Hixson, JJ., agree.

[CV-14-302](#). Becky Duncan and Patrick Gaither v. Arkansas Department of Human Services, from Crawford County Circuit Court. Reversed and remanded in part; affirmed in part; motion to withdraw granted. Pittman and Hixson, JJ., agree.

[CV-14-395](#). Krysta Dawson v. Arkansas Department of Human Services, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to withdraw granted. Pittman and Hixson, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CV-14-319](#). Amber Ward and Christian Ward v. Arkansas Department of Human Services and Minor Children, from Crittenden County Circuit Court. Affirmed. Harrison and Glover, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-13-783](#). Xavier Thomas v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Whiteaker and Vaught, JJ., agree.

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RITA W. GRUBER, JUDGE: (Continued)

[CV-14-51](#). George Thompson v. Mountain Home Good Samaritan Village, Sentry Insurance Company, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed in part; reversed and remanded in part. Whiteaker and Vaught, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-14-54](#). William L. Dunham v. Prime Industrial Recruiters, Inc.; Elite Workforce Management; and Welspun Pipes, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Harrison and Wynne, JJ., agree.

[CV-14-323](#). Krystal Sawyer v. Arkansas Department of Human Services and Minor Child, from Sharp County Circuit Court. Affirmed. Harrison and Wynne, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-13-1110](#). Timothy Dorrell v. Alanna Dorrell, from Union County Circuit Court. Affirmed. Gruber and Vaught, JJ., agree.

[CV-14-170](#). Dayle C. Wymer v. Lori C. Hutto, from Pulaski County Circuit Court, Ninth Division. Affirmed. Gruber and Vaught, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-14-26](#). Roseanna Fort v. The Estate of Norma Miller, Deceased, from Washington County Circuit Court. Affirmed. Gruber and Whiteaker, JJ., agree.

[CV-14-135](#). Kelley Delargy v. Golden Years Manor and Cannon Cochran Management Services, Inc., from the Arkansas Workers' Compensation Commission. Reversed and remanded. Gruber and Whiteaker, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-13-1117](#). Meagan Hunt Abo v. Bart Walker, from Saline County Circuit Court. Affirmed. Pittman and Walmsley, JJ., agree.

[CV-14-322](#). Deborah Compton v. Arkansas Department of Human Services and Minor Children, from Independence County Circuit Court. Affirmed; motion to withdraw granted. Pittman and Walmsley, JJ., agree.

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RHONDA K. WOOD, JUDGE:

[CR-13-816](#). Jarrod William Holmes v. State of Arkansas, from Saline County Circuit Court. Affirmed. Gladwin, C.J., and Brown, J., agree.

[CV-14-435](#). Brandon Williams v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court. Affirmed; motion to withdraw granted. Gladwin, C.J., and Brown, J., agree.

[E-13-1226](#). Jana O'Dell d/b/a Professional Transcription v. Director, Department of Workforce Services, and Employer Contributions Unit, from the Arkansas Board of Review. Reversed and remanded. Gladwin, C.J., and Brown, J., agree.

WAYMOND M. BROWN, JUDGE:

[CV-13-770](#). Jean Doran v. Arkansas Department of Human Services, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gladwin, C.J., and Wood, J., agree.

[CV-13-1161](#). Debra White v. Arkansas Department of Human Services and Minor Child, from Yell County Circuit Court, Danville District. Affirmed; motion to withdraw granted. Gladwin, C.J., and Wood, J., agree.

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-14-192. Patricia Tenner v. Director et al.

E-14-193. Rufus Phillips, Jr. v. Director et al.

E-14-194. Tony Thurber v. Director et al.

E-14-196. George Robinson v. Director et al.

E-14-197. Theoplis Sims v. Director et al.

E-14-198. Jerman Smith v. Director et al.

E-14-199. Cecilia Day v. Director et al.

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E-14-200. Altoric Fulsom v. Director et al.

E-14-201. Xander Phifer v. Director et al.

E-14-202. Antoinette Lee v. Director et al.

E-14-203. Robert Ireland v. Director et al.

E-14-204. Larry Hendricks v. Director et al.

E-14-206. Odes Hill v. Director et al.

E-14-207. Michael Davis v. Director et al.

E-14-208. Luis Marquez v. Director et al.

E-14-209. Ranette Dane v. Director et al.

E-14-210. LaTonya Jenkins v. Director et al.

E-14-211. Barbara Carolina v. Director et al.

E-14-212. Debra Smith v. Director et al.

E-14-213. Breoni Gilmore v. Director et al.

E-14-214. Laurice Herrera v. Director et al.

E-14-215. Rick Warren v. Director et al.

E-14-216. Keith Wilde v. Director et al.

E-14-217. Adrienne Simpson v. Director et al.

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PER CURIAM ORDERS

CR-13-932. Tracy L. Davis v. State of Arkansas, from Union County Circuit Court. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,800.00.

CR-13-1093. Desmond Eugene Rowe v. State of Arkansas, from Chicot County Circuit Court. Motion of Joseph P. Mazzanti III for attorney's fees is granted. Allowed \$1,800.00.

CR-14-44. Brenda Bohannon v. State of Arkansas, from Jefferson County Circuit Court. Motion of Robert R. Cortinez, Sr., for attorney's fees is granted. Allowed \$1,800.00.

CR-14-630. Heather P. Butler v. State of Arkansas, from Faulkner County Circuit Court. Motion of Brett D. Watson for attorney's fees is granted. Allowed \$437.50.

CV-13-928. X.O.P. v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,800.00.

CV-13-949. Kimberly Stibich v. Adam S. Stibich, from Garland County Circuit Court. Appellee's motion to supplement record and motion for expansion of time is denied. Appellee's brief due in thirty days. Final extension.

CV-13-990. Cynthia Butler Farrell v. Hanford Francis Farrell, Jr., from Sebastian County Circuit Court, Fort Smith District. Motion for attorney's fees for supplemental abstracting by appellee is passed until the case is submitted.

CV-14-80. Louis A. Sheppard v. Arkansas Alcoholic Beverage Control Board and Jay Arnold, from Pulaski County Circuit Court, Sixth Division. Motion of Kevin M. Lemley, P.A., for substitution of counsel for appellant is granted.

CV-14-80. Louis A. Sheppard v. Arkansas Alcoholic Beverage Control Board and Jay Arnold, from Pulaski County Circuit Court, Sixth Division. Motion of Anton L. Janik to withdraw as counsel for appellant is granted.

CV-14-229. Marcia Jane Shepherd v. James Jones, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion to correct the record and reset the briefing schedule is granted. Gruber, J., not participating.

CV-14-353. Jeannie Sherman v. Raymond Boeckmann, from Cross County Circuit Court. Appellant's motion to supplement the record on appeal is denied.

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CV-14-525. Gayle D. Zimmerman v. Samuel B. Pope, from Ashley County Circuit Court. Appellant's motion to supplement the record and for extension of time to file brief is granted. Appellant ordered to clarify notice of appeal within ten days.

CV-14-623. Brenda Mode and Calvin Mode v. Arkansas Department of Human Services and Minor Children, from Perry County Circuit Court. Appellants' motion to supplement the record is denied.

CV-14-682. Roy Williams v. Faust Big Creek Sawmill and AIG, from the Arkansas Workers' Compensation Commission. Appellees' motion to dismiss appeal is moot.

CV-14-682. Roy Williams v. Faust Big Creek Sawmill and AIG, from the Arkansas Workers' Compensation Commission. Motion to remand to administrative law judge is granted.

CV-14-682. Roy Williams v. Faust Big Creek Sawmill and AIG, from the Arkansas Workers' Compensation Commission. Pro se motion to withdraw appeal is moot.

E-14-759. Teresa Cole v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

E-14-761. Marcella Aaron v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-14-215. Tara Brooks Harris v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Tenth Division.

CR-13-159. Jason Dove v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion to dismiss appeal.

CR-13-724. Frederick Rainey v. State of Arkansas, from Cleveland County Circuit Court. Appellee's motion to dismiss appeal.

CR-13-1079. Gary D. Bell v. State of Arkansas, from Clark County Circuit Court. Motion of Alex R. Burgos for attorney's fees.

CR-13-1089. Corey Dotson v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CR-14-230. Kayla DeShazier v. State of Arkansas, from Jefferson County Circuit Court. Motion of David W. Brophrey for attorney's fees.

CR-14-364. Delbert Raymond Price v. State of Arkansas, from Washington County Circuit Court. Appellant's motion to file belated brief.

CR-14-714. Darrell Robertson v. State of Arkansas, from Conway County Circuit Court. Appellant's motion to supplement the record.

CV-13-1133. Harold W. Planchon v. Local Police and Fire Retirement System, from Washington County Circuit Court. Appellee's motion for extension of time to file brief.

CV-14-241. Linda S. Lee v. Sherlyn E. Jones et al., from Perry County Circuit Court. Pro se motion to dismiss a party (Petit Jean State Bank) from the appeal and to extend time.

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MOTIONS SUBMITTED

CV-14-410. Edward Kenneth Bingham v. Mark Wilcox, Land Commissioner, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for extension of brief time.

CV-14-500. Lawrence Crowell, Jr. v. Arquest, Inc., et al., from the Arkansas Workers' Compensation Commission. Appellees' motion for substitution of counsel.

CV-14-500. Lawrence Crowell, Jr. v. Arquest, Inc., et al., from the Arkansas Workers' Compensation Commission. Joint motion to extend remand to the Arkansas Workers' Compensation Commission.

CV-14-571. Linda S. Lee v. Sherlyn E. Jones et al., from Perry County Circuit Court. Pro se motion to reconsider appellant's motion to consolidate and extend time.

CV-14-574. Linda S. Lee v. Sherlyn E. Jones et al., from Perry County Circuit Court. Pro se motion to reconsider appellant's motion to consolidate and extend time.

CV-14-710. William Whittenburg v. John R. Moody and Sandra O. Moody, from Prairie County Circuit Court, Southern District. Pro se motion to complete the circuit court record.

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CASES SUBMITTED

CR-13-15. Tracy M. Standridge v. State of Arkansas, from Baxter County Circuit Court.

CR-13-204. Trenton Holley v. State of Arkansas, from Faulkner County Circuit Court.

CR-14-90. R.W.G. v. State of Arkansas, from Garland County Circuit Court.

CR-14-120. M.D. v. State of Arkansas, from Craighead County Circuit Court, Western District.

CV-13-457. Kent Smith, DVM v. Kimberly V. Freeman and Armistead Council Freeman, Jr., from Perry County Circuit Court.

CV-13-460. Carolyn Bedford, Denise Bedford, and MidFirst Bank v. Lori Ledbetter Sumpter, from Crittenden County Circuit Court.

CV-13-518. Ollye Robinson v. Kimberly Jones Miller and Thomas Jones, from Jefferson County Circuit Court.

CV-13-1077. Clyde Ray King and Eileen McMurray v. State of Arkansas, from Pulaski County Circuit Court, Second Division.

CV-14-110. Frederick Bogar (Deceased) v. Welspun Pipes, Inc., from the Arkansas Workers' Compensation Commission.

CV-14-140. George Willis v. Great Dane Trailers, from the Arkansas Workers' Compensation Commission.

CV-14-165. Mahmood Ahmad, M.D. v. Horizon Pain, Inc., from Independence County Circuit Court.

CV-14-192. Jessica Foust v. Maria Montez-Torres, from Jackson County Circuit Court.

CV-14-199. Farmers Insurance Exchange v. Ray Bradford, Lanna Bradford, and Jason Bradford, from Independence County Circuit Court.

CV-14-220. MCSA, LLC, and Medical Center of South Arkansas v. Ella Thurman and Mickey Thurman, from Union County Circuit Court.

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CASES SUBMITTED

CV-14-246. Ralph Trezza v. USA Truck, Inc., from the Arkansas Workers' Compensation Commission.

CV-14-251. John Finch v. Carroll County, Arkansas, from Carroll County Circuit Court, Western District.

CV-14-278. Baker Implement Company v. Henry Fox, from the Arkansas Workers' Compensation Commission.

CV-14-350. Advanced Portable X-Ray, LLC v. Connie Parker, from the Arkansas Workers' Compensation Commission.

CV-14-491. Michelle Knerr v. Arkansas Department of Human Services and Minor Child, from Lonoke County Circuit Court.

CV-14-515. Lashonda Goodwin v. Arkansas Department of Human Services and Minor Child, from Crittenden County Circuit Court.

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

E-13-1204. Clifton Services, Inc. v. Director et al.

E-14-249. Mark Brown v. Director et al.

E-14-250. Torrence Chunn v. Director et al.

E-14-251. Patricia Breedlove v. Director et al.

E-14-252. Joseph Eaton v. Director et al.

E-14-253. Jenifer Williamson v. Director et al.

E-14-254. Karen Word v. Director et al.

E-14-255. Lorie Niswonger v. Director et al.

E-14-256. Charles Stacks v. Director et al.

E-14-257. Martha Burris v. Director et al.

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E-14-258. Diamond Hospitality Enterprises, LLC, d/b/a Hardees v. Director et al.

E-14-259. Conekka Foreman v. Director et al.

E-14-260. Shawn Harden v. Director et al.

E-14-261. Freddy Sammons, Sr. v. Director et al.

E-14-262. Nickie Thomas v. Director et al.

E-14-263. Kathy Davis v. Director et al.

E-14-264. Barbara Jones v. Director et al.

E-14-265. H & K Trucking, LLC v. Director et al.

E-14-266. Christopher King v. Director et al.

E-14-267. Joseph Fagan v. Director et al.

E-14-268. Marlene Burks v. Director et al.

E-14-285. Wesley Glover v. Director et al.

E-14-286. Bridgette Sanders v. Director et al.

E-14-287. Nicki Easter v. Director et al.

E-14-288. Southern Refrigerated Transport, Inc. v. Director et al.

E-14-289. Johnny Moore v. Director et al.

E-14-290. James Elmore v. Director et al.

E-14-291. John Rick v. Director et al.