

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 22, 2014

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-13-537](#). Khalin Collins v. State of Arkansas, from Columbia County Circuit Court. Affirmed in part; reversed in part. Pittman and Wynne, JJ., agree.

[CV-14-452](#). Roberto Jaramillo, Employee v. Systems Contracting, from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Wynne, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CV-13-969](#). Alvester Bingham v. C & L Electric Cooperative, from Desha County Circuit Court. Supplemental addendum ordered. Harrison and Gruber, JJ., agree.

[CV-13-1077](#). Clyde Ray King and Eileen McMurray v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Affirmed. Pittman and Hixson, JJ., agree.

[CV-14-246](#). Ralph Trezza v. USA Truck Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Hixson, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CR-13-180](#). Christopher C. Cory v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Walmsley and Gruber, JJ., agree.

[CR-13-204](#). Trenton Holley v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Wynne and Glover, JJ., agree.

[CV-14-455](#). Jayme Adams v. Georgia Pacific, LLC, and Indemnity Insurance Company of North America/ESIS, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Walmsley and Gruber, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-14-270](#). Terry Druyvestein v. Roy Gean, Jr., from Sebastian County Circuit Court, Fort Smith District. Reversed and remanded. Walmsley and Harrison, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-14-11](#). Jonathan Johns v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Affirmed. Hixson and Brown, JJ., agree.

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PHILLIP T. WHITEAKER, JUDGE: (Continued)

[CR-14-89](#). Michael L. Williams v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Hixson and Brown, JJ., agree.

[E-13-1204](#). Clifton Services, Inc. v. Director, Department of Workforce Services, Employer Contributions Unit, from the Arkansas Board of Review. Affirmed. Gruber and Vaught, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-14-2](#). Jarmal Carlos Williams v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Glover and Wood, JJ., agree.

[CV-14-251](#). John Finch and Cindy Finch v. Carroll County, Arkansas, and Sam Barr, from Carroll County Circuit Court. Affirmed. Gruber and Whiteaker, JJ., agree.

[CV-14-469](#). Tina Nguyen and Johnny Hoang v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith Division. Affirmed; motions to be relieved granted. Gruber and Whiteaker, JJ., agree.

[CV-14-538](#). Justin Frisby v. Arkansas Department of Human Services and Minor Children, from Cleveland County Circuit Court. Affirmed; motion granted. Glover and Wood, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-14-64](#). John Ellis Johnson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Whiteaker and Brown, JJ., agree.

[CV-14-567](#). Tawana Willingham v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Affirmed. Whiteaker and Brown, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CV-13-457](#). Kent Smith, D.V.M., Individually, and d/b/a Perry Vet Services v. Kimberly V. Freeman and Armistead Council Freeman, Jr., from Perry County Circuit Court. Motion to dismiss granted; appeal dismissed. Brown, J., agrees. Gladwin, C.J., concurs.

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WAYMOND M. BROWN, JUDGE:

[CR-13-917](#). Omar Griffis v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Remanded to supplement record; rebriefing ordered. Whiteaker and Hixson, JJ., agree.

[CR-13-978](#). Derrick Lamont Booth v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Affirmed. Whiteaker and Hixson, JJ., agree.

[CV-14-188](#). Mack Lundy v. Sandy Lundy, from Faulkner County Circuit Court. Reversed and dismissed. Whiteaker and Hixson, JJ., 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-14-269. Kelli Underwood v. Director et al.

E-14-270. Shirley McCoy v. Director et al.

E-14-271. Dustin Furrow v. Director et al.

E-14-272. Bryce Miller v. Director et al.

E-14-273. Halie Norris v. Director et al.

E-14-274. Dirk Helmke v. Director et al.

E-14-275. Aimee Donahue v. Director et al.

E-14-276. Deborah Garrett v. Director et al.

E-14-277. Deborah Garrett v. Director et al.

E-14-278. Vanessa Tensley v. Director et al.

E-14-279. Pamela Landon v. Director et al.

E-14-280. Brandon Richardson v. Director et al.

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E-14-281. Donna Earnest v. Director et al.

E-14-282. Evricka Haile v. Director et al.

E-14-283. Brittany Foster v. Director et al.

E-14-292. Rex Blackwell v. Director et al.

E-14-293. Ericka Davis Collins v. Director et al.

E-14-294. Carlisle Shelby v. Director et al.

E-14-295. Susan Richards v. Director et al.

E-14-296. Dorothy Williams v. Director et al.

E-14-297. Rozeta Nevels v. Director et al.

E-14-298. Timothy McElveen v. Director et al.

E-14-299. Ben Smith v. Director et al.

E-14-300. Michael Jones v. Director et al.

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PER CURIAM ORDERS

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

CR-13-868. Michael Gene Fowler v. State of Arkansas, from Faulkner County Circuit Court.

CV-13-1132. Southern Building Services, Inc. v. City of Fort Smith, Arkansas, from Sebastian County Circuit Court, Fort Smith District.

E-14-161. Albert Ridgell v. Director et al., from the Arkansas Board of Review.

CR-13-159. Jason Dove v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion to dismiss appeal is denied. Vaught, J., not participating.

CR-13-654. James T. Piper v. State of Arkansas, from Drew County Circuit Court. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,800.00.

CR-13-806. Matthew Williams, Jr. v. State of Arkansas, from Pike County Circuit Court. Pro se motion to relieve counsel is denied.

CR-13-1010. Jermaine Hicks v. State of Arkansas, from Crittenden County Circuit Court. Motion of David O. Bowden to be relieved as counsel and for substitution of Steven R. Smith as counsel is granted.

CR-14-153. Joe L. Bell III v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Appellee's motion to dismiss appeal is granted.

CR-14-451. Robert Edward Jones v. State of Arkansas, from Crittenden County Circuit Court. Motion for leave to proceed in forma pauperis is granted.

CR-14-466. Marcus Martez Sims v. State of Arkansas, from Crittenden County Circuit Court. Motion for leave to proceed in forma pauperis is granted.

CV-11-1243. Ryan Roggasch and Elite Homes of Arkansas, Inc. v. Tasha Sims and John Sims, from Saline County Circuit Court. Appellants' bankruptcy status report is noted.

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PER CURIAM ORDERS

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 supplemental addendum and dispense with rebriefing is granted; excluding supplemental addendum pages 213-217.

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 is granted. Gladwin, C.J., not participating.

CV-14-102. Oksana G. Hackney v. Josh Hackney, from Pulaski County Circuit Court, Fourteenth Division. Appellee's motion for leave to file motion for reconsideration or rehearing is denied.

CV-14-321. Gary Beard v. Lavern Arnold, from Pulaski County Circuit Court, Fifth Division. Appellee's petition for writ of certiorari to complete record and motion for rebriefing or, in the alternative, motion for extension of time is denied. Gruber, J., not participating.

CV-14-337. Oksana G. Hackney v. Josh Hackney, from Pulaski County Circuit Court, Fourteenth Division. Appellee's motion to dismiss appeal is denied.

CV-14-797. Kenneth Earl Youngblood v. Cheryl Youngblood, from Washington County Circuit Court. Appellant's motion for stay and approval of supersedeas bond is denied without prejudice.

CV-14-819. Johnny Hinchey, in His Official Capacity as Searcy County Judge v. Duford and Rosalee Taylor, Jim and Corrine Taylor, and Brent and Robin Taylor, from Searcy County Circuit Court. Appellant's motion to stay judgment pending appeal and incorporated brief is denied.

E-14-794. Paris Walls v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-13-632. Mary Hartman and Donna Dewey v. Henry N. Edwards, M.D., from Crawford County Circuit Court.

CV-13-1117. Meagan Hunt Abo v. Bart Walker, from Saline County Circuit Court.

CV-13-1142. Linda Dixon Bly, In Her Capacity as Trustee of the Dorothy Dixon Hatchett Revocable Trust v. Guy Collister, from Van Buren County Circuit Court.

E-13-1226. Jana O'Dell d/b/a Professional Transcription v. Director, Department of Workforce Services, and Employer Contribution Unit, from the Arkansas Board of Review.

E-13-1242. SCI, Inc. v. Director, Department of Workforce Services, from the Arkansas Board of Review.

E-14-181. Patricia Johnson v. Director, Department of Workforce Services, et al., from the Arkansas Board of Review.

CR-13-316. Antwan Lavon Fowler v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for permission to file brief in excess of page limitation.

CR-13-649. Brandy Goodman v. State of Arkansas, from Lonoke County Circuit Court. Motion of Jonathan T. Lane for attorney's fees.

CR-13-783. Xavier Thomas v. State of Arkansas, from Jefferson County Circuit Court. Motion of Nick Churchill for attorney's fees.

CR-13-816. Jarrod William Holmes v. State of Arkansas, from Saline County Circuit Court. Motion of Gregg A. Knutson for attorney's fees.

CR-13-1095. Kathy Gene Griffin v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to reschedule oral argument.

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MOTIONS SUBMITTED

CR-13-1121. Dale Harvey Brown v. State of Arkansas, from Van Buren County Circuit Court. Motion of Charles "Dan" Hancock for attorney's fees.

CR-14-430. Darin Tate v. State of Arkansas, from Sevier County Circuit Court. Appellant's motion to supplement brief.

CR-14-541. Kenneth John Stone v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's motion to file non-conforming brief.

CR-14-628. Matthew T. Moore v. State of Arkansas, from Montgomery County Circuit Court. Appellant's petition for writ of certiorari to correct omissions in the record.

CR-14-681. Crystal Scott-Paxson v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to supplement record and stay of briefing schedule.

CR-14-771. Jeffery Dale Hardy v. State of Arkansas, from Crittenden County Circuit Court. Pro se motion for emergency hearing.

CV-13-770. Jean Doran v. Arkansas Department of Human Services, from Sebastian County Circuit Court, Fort Smith District. Motion of Robert M. "Robby" Golden for attorney's fees.

CV-14-241. Linda S. Lee v. Sherlyn E. Jones, from Perry County Circuit Court. Pro se motion to consolidate and extend time.

CV-14-289. Leon Wilmoth and Safari Real Estate, LLC v. Southwest Arkansas Utilities Corp., from Benton County Circuit Court. Appellants' petition for judicial notice of Public Service Commission Order No. 36, Docket No. 13-041-U.

CV-14-525. Gayle D. Zimmerman v. Samuel B. Pope, from Ashley County Circuit Court. Pro se amended clarification of notice of appeal.

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

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

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MOTIONS SUBMITTED

CV-14-592. Boyd Corley Construction, LLC, d/b/a Tycor Construction, LLC, and Travelers Casualty and Surety Company of America v. Cummins Mid-South, LLC, from Ouachita County Circuit Court. Appellee's motion to determine sufficiency of appellants' addendum due to illegible pleadings and exhibits.

CV-14-592. Boyd Corley Construction, LLC, d/b/a Tycor Construction, LLC, and Travelers Casualty and Surety Company of America v. Cummins Mid-South, LLC, from Ouachita County Circuit Court. Appellee's motion for certiorari to complete the record, to remand, and to stay briefing schedule.

CV-14-603. Family Dollar Trucking, Inc.; Family Dollar, Inc.; and Family Dollar Services, Inc. v. Jimmy Huff and Robert Ward, from Crittenden County Circuit Court. Appellees' motion to expand page limit.

CV-14-623. Brenda Mode and Calvin Mode v. Arkansas Department of Human Services and Minor Children, from Perry County Circuit Court. Appellees' joint motion to stay briefing schedule and strike portions of appellants' brief and addendum.

CV-14-676. Mona B. Sloop v. Sally Ann Kiker, from Newton County Circuit Court. Appellant's motion to remand or for extension of brief time.

CV-14-693. Barton Ag Center, Inc.; Verlon Spencer; and Greenway Equipment, Inc. v. William Case, from Pulaski County Circuit Court, Fifth Division. Appellants' motion for leave to file supersedeas bond.

CV-14-697. Georgina Peavler v. Shirley Bryant, from Sebastian County Circuit Court, Greenwood District. Appellant's motion to file belated brief.

CV-14-810. Stephen Brian Collins and Kimberly Diane Collins v. Deutsche Bank National Trust Company, from Miller County Circuit Court. Appellants' emergency motion to stay circuit court order.

CV-14-862. Luis Rodriguez v. Stellar Management Group IV, Inc., and American Zurich Insurance Company, from the Arkansas Workers' Compensation Commission. Request to proceed in forma pauperis.

CV-14-862. Luis Rodriguez v. Stellar Management Group IV, Inc., and American Zurich Insurance Company, from the Arkansas Workers' Compensation Commission. Pro se motion for appointment of counsel.

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CASES SUBMITTED

CR-13-331. Quintrell Richardson v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District.

CR-13-774. Reggie Terrell Blair v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-13-836. Donnie Slater v. State of Arkansas, from Arkansas County Circuit Court, Northern District.

CR-14-86. Bobby Johnson v. State of Arkansas, from Lafayette County Circuit Court.

CR-14-118. Alton Scott Moody v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CR-14-154. Herbert Bennett v. State of Arkansas, from Garland County Circuit Court.

CR-14-191. Shareef Palmer Brown v. State of Arkansas, from Crawford County Circuit Court.

CR-14-239. Michael Woole v. State of Arkansas, from Faulkner County Circuit Court.

CR-14-365. H.V. v. State of Arkansas, from Benton County Circuit Court.

CR-14-420. A.D. v. State of Arkansas, from Benton County Circuit Court.

CR-14-423. J.J. v. State of Arkansas, from Craighead County Circuit Court, Western District.

CV-13-990. Cynthia Butler Farrell v. Hanford Francis Farrell, from Sebastian County Circuit Court, Fort Smith District.

CV-14-75. Herbert C. Southern v. Highline Technical Innovations, Inc., and Alternative Hydrogen Solutions, LLC, from Washington County Circuit Court.

CV-14-126. John D. Sanson v. Marybeth Allinson, from Saline County Circuit Court.

CV-14-141. Karina Guerrero Torres and Carlos Rocha v. T. Theresa Jones, from Howard County Circuit Court.

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CASES SUBMITTED

CV-14-147. George Taku v. Megan Suzanne Hausman, from Craighead County Circuit Court, Western District.

CV-14-266. G. Mason Cozart, Larry Buttram, and Dynareps Investment Group v. Louise Logue, from Pulaski County Circuit Court, Seventeenth Division.

CV-14-301. Jerry Catt v. Donna Catt, from Clay County Circuit Court, Western District.

CV-14-352. Kathleen F. White v. Brian White, from Garland County Circuit Court.

CV-14-394. April Young v. Arkansas Department of Human Services and Minor Child, from Jefferson County Circuit Court.

CV-14-440. James Fell v. Camme Fell, from Saline County Circuit Court.

CV-14-487. Henry Michael Shaver v. Ashley County Detention Center, AAC Risk Management Services, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-14-563. Quinshunta Windom v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

CV-14-609. Ashley McPherson v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District.

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

E-14-325. Ronald Bradford v. Director et al.

E-14-326. Anthony Hamilton v. Director et al.

E-14-327. Rhonda Beals v. Director et al.

E-14-328. Daniel Dickey v. Director et al.

E-14-329. Vicky Dewey v. Director et al.

E-14-330. Joseph Unruh v. Director et al.

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CASES SUBMITTED

- E-14-331. Frank James v. Director et al.
- E-14-332. Jodi Burrows v. Director et al.
- E-14-333. Russell Grisham v. Director et al.
- E-14-334. Deborah Huff v. Director et al.
- E-14-335. Rashonda Dixon v. Director et al.
- E-14-337. Brenda Atkins v. Director et al.
- E-14-338. Barbara Howard v. Director et al.
- E-14-339. Manuel Stowers v. Director et al.
- E-14-340. John Peters v. Director et al.
- E-14-341. Tireeca Baker v. Director et al.
- E-14-342. Teilia Akins v. Director et al.
- E-14-343. Charles Gosvener v. Director et al.
- E-14-344. Shawn Johnson v. Director et al.
- E-14-345. Martice Johnson v. Director et al.
- E-14-346. Fredrick Gulley v. Director et al.
- E-14-347. Beverly Clark v. Director et al.
- E-14-348. Frankie Arnold v. Director et al.
- E-14-349. Nina Dickinson v. Director et al.