

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF NOVEMBER 12, 2014**

**ROBERT J. GLADWIN, CHIEF JUDGE:**

[CR-14-413](#). Billy A. Fewell v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Pittman and Wynne, JJ., agree.

[CV-13-794](#). Sheryl Norris v. Ashley Davis, from Saline County Circuit Court. Affirmed. Pittman and Wynne, JJ., agree

**JOHN MAUZY PITTMAN, JUDGE:**

[CR-14-324](#). Hezekiah Satterfield v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Gladwin, C.J., and Wynne, J., agree.

[CV-14-141](#). Karina Guerrero Torres and Carlos Rocha v. Theresa Jones, from Howard County Circuit Court. Affirmed. Gladwin, C.J., and Wynne, J., agree.

**BILL H. WALMSLEY, JUDGE:**

[CR-14-163](#). Robert Kenneth Barber v. State of Arkansas, from Washington County Circuit Court. Supplemental addendum ordered. Harrison and Gruber, JJ., agree.

[CV-14-406](#). Ralph Shane Calaway v. Tara Fallen Crotty, from Union County Circuit Court. Affirmed. Harrison and Gruber, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CR-14-279](#). Michael Webb, Jr. v. State of Arkansas, from Drew County Circuit Court. Supplemental addendum ordered. Walmsley and Harrison, JJ., agree.

[CV-14-309](#). Keith Capps Landscaping & Excavation, Inc. v. Van Horn Construction, Inc., and Travelers Casualty & Surety Company of America, from Pope County Circuit Court. Affirmed. Walmsley and Harrison, JJ., agree.

**DAVID M. GLOVER, JUDGE:**

[CR-14-313](#). Tyree Banks v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Vaught and Wood, JJ., agree.

[CV-14-63](#). Thomas L. Lagios v. Kenneth Mitchell Goldman and Deanne Fields Goldman, from Columbia County Circuit Court. Remanded to settle and supplement the record; rebriefing ordered. Vaught and Wood, JJ., agree.

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PHILLIP T. WHITEAKER, JUDGE:

[CR-14-340](#). Richard Brian Ford v. State of Arkansas, from Polk County Circuit Court. Affirmed. Hixson and Brown, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-14-376](#). Derrick Demond Glenn v. State of Arkansas, from the Bradley County Circuit Court. Affirmed. Glover and Wood, JJ., agree.

[CV-14-397](#). Homer Eugene Brown and Tammy Lynn Brown v. United Bank et al., from the Benton County Circuit Court. Dismissed. Glover and Wood, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-14-146](#). Andrew Holland v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Whiteaker and Brown, JJ., agree.

[CV-14-100](#). Gary Sharp v. James Sharp, from Sevier County Circuit Court. Affirmed. Whiteaker, J., agrees. Brown, J., concurs.

[CV-14-333](#). Valley Estates, Limited Partnership v. R.M. Pangle and Lois K. Pangle, from Baxter County Circuit Court. Reversed and dismissed. Whiteaker and Brown, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CR-14-381](#). Herman Ray Frasure v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Glover and Vaught, JJ., agree.

[CV-14-632](#). Angela Owen v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to withdraw granted. Glover and Vaught, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-14-317](#). Donald Lynn Jones v. State of Arkansas, from Saline County Circuit Court. Affirmed. Whiteaker and Hixson, JJ., agree.

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**PROCEEDINGS OF NOVEMBER 12, 2014**

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-14-350. Marissa Thompson v. Director et al.

E-14-352. Shelia Curry v. Director et al.

E-14-354. Mountain Mechanical Contractors, Inc. v. Director et al.

E-14-355. David Parrish v. Director et al.

E-14-356. Brandy Baty v. Director et al.

E-14-357. Carrie Blackwell v. Director et al.

E-14-358. Clayton Rose v. Director et al.

E-14-359. Darrel Rogers v. Director et al.

E-14-360. Aundra Morant v. Director et al.

E-14-361. Callie Jackson v. Director et al.

E-14-362. Franklin Okoli v. Director et al.

E-14-363. Frederick Hodges v. Director et al.

E-14-364. Elmer Brown v. Director et al.

E-14-365. Rodney Kindley v. Director et al.

E-14-366. Hugh Rorie v. Director et al.

E-14-367. Melissa Elliott v. Director et al.

E-14-368. Larry Jackson, Jr. v. Director et al.

E-14-369. Sandra Martin v. Director et al.

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E-14-370. Micah Nichols v. Director et al.

E-14-371. Jay Malone v. Director et al.

E-14-372. Adrian Heath v. Director et al.

E-14-373. Melissa Gulley v. Director et al.

E-14-374. Mary Beth Elder v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF NOVEMBER 12, 2014**

**PER CURIAM ORDERS**

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

[CV-13-1057](#). United Systems of Arkansas, Inc. v. Beason & Nalley, Inc.; Chad Braley; and David Miller, from Pulaski County Circuit Court, Thirteenth Division. *See* substituted opinion on denial of petition for rehearing.

CV-13-667. Dustin McDaniel, Arkansas Attorney General, Consumer Utilities Rate Advocacy Division v. Arkansas Public Service Commission and Entergy Arkansas, Inc., from Arkansas Public Service Commission. Brown, J., would grant.

CV-13-803. Dustin McDaniel, Arkansas Attorney General, Consumer Utilities Rate Advocacy Division v. Arkansas Public Service Commission and Entergy Arkansas, Inc., from Arkansas Public Service Commission. Brown, J., would grant.

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CR-13-641. Joel Corvin Buckley v. State of Arkansas, from Washington County Circuit Court. Motion of David M. Hogue 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. Motion of Jeffrey Weber for attorney's fees is granted. Allowed \$1,800.00.

CR-14-106. Clifford Malone v. State of Arkansas, from Arkansas County Circuit Court. Motion of D. Ryan Mullenix for attorney's fees is granted. Allowed \$1,800.00.

CR-14-176. Damien Ford v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for attorney's fees is granted. Allowed \$1,800.00.

CV-14-72. Jennifer Steele v. John Lyon, from Pulaski County Circuit Court, Twelfth Division. Appellee's motion to replace pages of record is granted.

CV-14-203. George Brumley v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Appellant's motion to ask permission to place missing page in appellant's opening brief is granted.

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**PROCEEDINGS OF NOVEMBER 12, 2014**

**PER CURIAM ORDERS**

CV-14-595. Dorothy Williams v. Roger Pate, Tommy Ramsey, Aaron Russell, Jerrod Williams, Tony Marsh, Jim Marsh, and Pangburn School District, from White County Circuit Court. Appellees' motion for dismissal or in the alternative motion for extension of time. Appellee's motion for dismissal is denied. Appellees' brief due in thirty days.

CV-14-655. Joey Hopkins v. Harness Roofing, Inc., and CNA Insurance Company, from the Arkansas Workers' Compensation Commission. Appellant's motion for clarification of court's reasons for recent rejection of appellant's brief is moot.

CV-14-808. Terry Yarbrough v. Jane Powell, from Pulaski County Circuit Court, Seventeenth Division. Appellee's motion to dismiss appeal and to realign parties. Appellee's motion to dismiss appeal is passed until case is submitted. Clerk directed to consolidate cases CV-14-795 and CV-14-808. Terry Yarbrough is designated as the appellant and Jane Powell is designated as the appellee/cross-appellant.

E-14-868. Latoya Akins 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-13-518. Ollye Mae Robinson v. Kimberly Jones Miller, from Jefferson County Circuit Court.

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

CR-13-180. Christopher Cory v. State of Arkansas, from Crittenden County Circuit Court. Motion of Bobby R. Digby II for attorney's fees.

CR-13-222. Marcus A. Rimmer v. State of Arkansas, from Crittenden County Circuit Court. Motion of Gregg A. Knutson for attorney's fees.

CR-13-722. Dimitria Singleton-Harris v. State of Arkansas, from Miller County Circuit Court. Motion of Tim Cullen for attorney's fees.

CR-13-778. Taneka Robinson v. State of Arkansas, from Crittenden County Circuit Court. Motion of Robert M. "Robby" Golden for attorney's fees.

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

CR-14-2. Jarmal Carlos Williams v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CR-14-77. Wade Collins v. State of Arkansas, from Pulaski County Circuit Court Seventh Division. Motion of Bobby R. Digby II for attorney's fees.

CR-14-120. M.D. v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fees.

CR-14-156. Todd Aaron Smith v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for attorney's fees.

# ARKANSAS COURT OF APPEALS

## PROCEEDINGS OF NOVEMBER 12, 2014

### MOTIONS SUBMITTED

CR-14-156. Todd Aaron Smith v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough to be relieved as counsel.

CR-14-445. Jeffery E. Jackson v. State of Arkansas, from Calhoun County Circuit Court. Appellant's motion to file belated brief.

CR-14-555. Michael Eugene Rea v. State of Arkansas, from Saline County Circuit Court. Appellant's motion to seal the record.

CR-14-678. Calvin Tatum v. State of Arkansas, from Monroe County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CR-14-851. Kirk Alan Clark v. State of Arkansas, from Washington County Circuit Court. Appellant's motion to supplement the certified record on appeal and motion for extension of time to file brief.

CR-14-928. Alan R. Edwards v. State of Arkansas, from Garland County Circuit Court. Motion of John Wesley Hall to be substituted as counsel for appellant.

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

CV-14-488. Michelle M. Smith v. Kartika Hopper, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for oral argument.

CV-14-511. Kaye Autry v. Pam Beckham and Don Beckham, from Lonoke County Circuit Court. Appellant's motion for expedited hearing.

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

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

CV-14-679. Gary Cross et al. v. Western Waste Industries et al., from Miller County Circuit Court. Appellees' motion to order appellants to supplement the record and submit a compliant abstract and addendum and to stay the briefing.



# ARKANSAS COURT OF APPEALS

## PROCEEDINGS OF NOVEMBER 12, 2014

### MOTIONS SUBMITTED

CV-14-699. Nucor Steel-Arkansas and Nucor-Yamato Steel Company v. Arkansas Pollution Control & Ecology Commission and Big River Steel, from Mississippi County Circuit Court, Osceola District. Appellants' motion for reconsideration of the denial of motion for appointment of master for the purpose of limited discovery and related testimony.

CV-14-699. Nucor Steel-Arkansas and Nucor-Yamato Steel Company v. Arkansas Pollution Control & Ecology Commission and Big River Steel, from Mississippi County Circuit Court, Osceola District. Appellants' motion for reconsideration of the denial of appellants' motion to bifurcate consideration of issues for review.

CV-14-699. Nucor Steel-Arkansas and Nucor-Yamato Steel Company v. Arkansas Pollution Control & Ecology Commission and Big River Steel, from Mississippi County Circuit Court, Osceola District. Appellants' motion for reconsideration of the denial of appellants' motion for declaration of governing procedural rules and for stay of briefing schedule.

CV-14-699. Nucor Steel-Arkansas and Nucor-Yamato Steel Company v. Arkansas Pollution Control & Ecology Commission and Big River Steel, from Mississippi County Circuit Court, Osceola District. Arkansas Pollution Control and Ecology Commission's motion for show cause.

CV-14-886. Jimmy L. Frost v. Venessa Frost Pennington, from Drew County Circuit Court. Pro se motion for appointment of counsel.

CV-14-935. Clay V. Jackson v. Charles Brooks Company, Inc., from the Arkansas Workers' Compensation Commission. Petition to proceed in forma pauperis.

E-14-590. Miriam Gonzalez v. Director of Department of Workforce Services and Packers Sanitation Services, Inc., from the Arkansas Board of Review. Petitioner's motion to dismiss petition for appeal.

# ARKANSAS COURT OF APPEALS

## PROCEEDINGS OF NOVEMBER 12, 2014

### CASES SUBMITTED

CR-14-66. Andrew J. Cody v. State of Arkansas, from Pope County Circuit Court. Orally argued.

CR-14-210. Jimmy Paul Pickle v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-14-267. Patricia Hajek-McClure v. State of Arkansas, from Crawford County Circuit Court.

CR-14-326. Bruce Allen Echols v. State of Arkansas, from Saline County Circuit Court.

CR-14-328. Charles Earl Heard v. State of Arkansas, from Union County Circuit Court.

CR-14-446. Sammie Wayne Hutchinson v. State of Arkansas, from Crawford County Circuit Court.

CR-14-627. Jennifer A. Batchelor v. State of Arkansas, from Benton County Circuit Court.

CV-14-265. DLC Properties, LLC v. Carmike Cinemas, Inc., from Baxter County Circuit Court.

CV-14-285. John M. Horne v. Steve Henson, from Washington County Circuit Court.

CV-14-348. Eric Anderson v. Citimortgage, Inc., from Pulaski County Circuit Court, Third Division.

CV-14-505. Ezra Maxey and Marvin Maxey v. Erma Gray, from Union County Circuit Court.

CV-14-516. Christian Wright v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court.

CV-14-566. Earnest Stean Daniel v. Wal-Mart Stores, Inc., and Claims Management, Inc., from the Arkansas Workers' Compensation Commission.

CV-14-665. Kathryn Kilmer v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court.

**ARKANSAS COURT OF APPEALS**

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**CASES SUBMITTED**

CV-14-691. Tommy Thompson and Jeanette Stepanian v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

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

E-13-1249. Teresa Buck v. Director et al.

E-14-399. Robert Davis v. Director et al.

E-14-400. Alan Curtis v. Director et al.

E-14-401. Larry Miller, Jr. v. Director et al.

E-14-402. Jeremy Hyten v. Director et al.

E-14-403. Erica Tompkins v. Director et al.

E-14-404. Terry Davies v. Director et al.

E-14-405. Gary Messick v. Director et al.

E-14-406. Lisa Sellers v. Director et al.

E-14-407. LaKendra Kertis v. Director et al.

E-14-408. Rickey Shields v. Director et al.

E-14-409. Christopher Hatfield v. Director et al.

E-14-410. Susan McClendon v. Director et al.

E-14-411. Jayniece Pink v. Director et al.

E-14-412. Jennifer Wilcox v. Director et al.

E-14-413. Littrellis Lowe v. Director et al.

E-14-414. Alberta Woods v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF NOVEMBER 12, 2014**

**CASES SUBMITTED**

E-14-415. Pamela Erby v. Director et al.

E-14-416. Alvin Butler v. Director et al.

E-14-417. Lafayette Wooten v. Director et al.

E-14-418. Joseph Russell v. Director et al.

E-14-419. Yashika Gupton v. Director et al.

E-14-420. Rebecca Baker v. Director et al.

E-14-421. Alicia Shaw v. Director et al.

E-14-422. Ricky Massey v. Director et al.