

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF DECEMBER 3, 2014

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-13-557](#). Ismeal Leal v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Walmsley and Vaught, JJ., agree.

[CR-14-328](#). Charles Earl Heard v. State of Arkansas, from Union County Circuit Court. Affirmed; remanded to correct the record. Walmsley and Vaught, JJ., agree.

[CV-14-305](#). Winnie Ebele Armiah Obigbo v. Arkansas State Board of Nursing, from Pulaski County Circuit Court, Second Division. Affirmed. Walmsley and Gruber, JJ., agree.

[CV-14-516](#). Christian Wright v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Reversed; motion to dismiss denied. Walmsley and Vaught, JJ., agree.

[CV-14-680](#). Joshua Murphree v. Arkansas Department of Human Services and K.M., Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to withdraw granted. Walmsley and Vaught, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[E-14-447](#). Derrick M. Walker v. Director, Department of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Gladwin, C.J., and Vaught, J., agree.

BRANDON J. HARRISON, JUDGE:

[CR-13-331](#). Quintrell Richardson v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Walmsley and Whiteaker, JJ., agree.

[CR-14-446](#). Sammie Wayne Hutchinson v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Hixson and Wood, JJ., agree.

[CV-14-566](#). Earnest Stean Daniel v. Wal-Mart Stores, Inc., and Claims Management, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Hixson and Wood, JJ., agree.

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RITA W. GRUBER, JUDGE:

[CR-14-627](#). Jennifer Batchelor v. State of Arkansas, from Benton County Circuit Court. Affirmed. Wynne and Brown, JJ., agree.

[CV-14-348](#). Eric Anderson and Tama Anderson v. CitiMortgage, Inc., from Pulaski County Circuit Court, Third Division. Affirmed. Wynne and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-14-265](#). DLC Properties, LLC, d/b/a Twin Lakes Plaza, LLC v. Carmike Cinemas, Inc., and Eastwynn Theatres, Inc., from Baxter County Circuit Court. Supplemental addendum ordered. Pittman and Whiteaker, JJ., agree.

[E-13-1249](#). Teresa Buck v. Director, Department of Workforce Services, and Lake Hamilton Health and Rehabilitation, from the Arkansas Board of Review. Affirmed. Pittman and Whiteaker, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-14-66](#). Andrew J. Cody v. State of Arkansas, from Pope County Circuit Court. Affirmed. Pittman and Glover, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-14-285](#). John Horne v. Steve Henson, from Washington County Circuit Court. Dismissed without prejudice. Gladwin, C.J., and Walmsley, J., agree.

KENNETH S. HIXSON, JUDGE:

[CR-14-326](#). Bruce Allen Echols v. State of Arkansas, from Saline County Circuit Court. Remanded to settle and supplement the record; rebriefing ordered. Harrison and Wood, JJ., agree.

[CV-14-505](#). Ezra Maxey v. Erma Gray, in the Matter of the Estate of Lela Branch, Deceased, from Union County Circuit Court. Affirmed. Harrison and Wood, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-14-267](#). Patricia Hajek-McClure v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Wynne and Gruber, JJ., agree.

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WAYMOND M. BROWN, JUDGE: (Continued)

[CR-14-635](#). Matthew James Lee v. State of Arkansas, from Benton County Circuit Court. Affirmed. Wynne and Gruber, JJ., agree.

[CV-14-511](#). Janet Kaye Autry v. Pam Beckham and Don Beckham, from Lonoke County Circuit Court. Reversed. Wynne, J., agrees. Gruber, J., concurs.

[CV-14-665](#). Kathryn Kilmer v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court. Affirmed; motion to withdraw granted. Wynne and Gruber, 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-14-399. 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.

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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.

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.

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PER CURIAM ORDERS

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

CR-13-537. Khalin Collins v. State of Arkansas, from Columbia County Circuit Court. (Appellant)

CR-13-537. Khalin Collins v. State of Arkansas, from Columbia County Circuit Court. (Appellee)

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

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

CR-13-978. Derrick Booth v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Pro se motion for court transcripts is denied.

CR-14-129. Rene Garcia v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for belated brief is granted. Appellant's brief due January 5, 2015. Final extension. Gruber, Whiteaker, Vaught, Wood, and Brown, JJ., would deny.

CR-14-327. David Gooch v. State of Arkansas, from Yell County Circuit Court, Northern District. Appellant's motion to supplement the record and for extension of time to file appellant's opening brief is remanded to the circuit court to settle the record in fifteen days. Appellant's brief is due seven days thereafter.

CR-14-423. J.J. 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.

CR-14-451. Robert Edward Jones v. State of Arkansas, from Crittenden County Circuit Court. Appellant's amended motion to file a substituted brief is granted. Appellant's substituted brief filed this date.

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PER CURIAM ORDERS

CR-14-466. Marcus Martez Sims v. State of Arkansas, from Crittenden County Circuit Court. Appellant's amended motion to file a substituted brief is granted. Appellant's substituted brief filed this date.

CR-14-582. Timothy Allen Fiveash v. State of Arkansas, from Boone County Circuit Court. Appellant's motion to file belated brief is granted. Appellant's tendered brief filed this date. Gruber, J., not participating.

CV-13-969. Alvester Bingham v. C & L Electric Cooperative, from Desha County Circuit Court. Appellee's motion to correct addendum deficiencies is granted.

CV-14-139. David Lineham v. Sarah Rachel Hyde, Dennis Hyde, and Anna Hyde, from Logan County Circuit Court, Northern District. Appellant's motion for oral argument is denied. Harrison, Wynne, Whiteaker, Hixson, and Wood, JJ., would grant.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-13-1104. Bank of the Ozarks v. Susan Cossey, from Pulaski County Circuit Court, Sixteenth Division.

CR-13-868. Michael Gene Fowler v. State of Arkansas, from Faulkner County Circuit Court. Motion of Brian Brooks for attorney's fees.

CR-13-892. Tracy L. Davis v. State of Arkansas, from Union County Circuit Court. Motion of Robert M. "Robby" Golden for attorney's fees.

CR-13-917. Omar Griffis v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion for extension of time to supplement record and to file substituted brief.

CR-13-945. Timothy Smith v. State of Arkansas, from Crittenden County Circuit Court. Motion of Jonathan T. Lane for attorney's fees.

CR-13-994. James Anthony Gould v. State of Arkansas, from Pope County Circuit Court. Motion of James Dunham 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 file supplemental addendum.

CR-14-78. Graig B. Lintz v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees.

CR-14-103. Willie Ray Porchia v. State of Arkansas, from Ouachita County Circuit Court. Motion of Margaret Egan for attorney's fees.

CR-14-123. Anthony D. Toombs v. State of Arkansas, from Pulaski County Circuit Court, First Division. Pro se motion to object the Arkansas Attorney General's response to pro se motion for new counsel and for other relief.

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MOTIONS SUBMITTED

CR-14-161. David Van Winkle v. State of Arkansas, from Polk County Circuit Court. Motion of William O. "Bill" James, Jr., for attorney's fees.

CR-14-176. Damien Ford v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough to be relieved as counsel.

CR-14-191. Shareef Palmer Brown v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees.

CR-14-216. Clint Beavers v. State of Arkansas, from Garland County Circuit Court. Appellant's motion to accept tendered briefs.

CR-14-239. Michael Woole v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for clarification.

CR-14-313. Tyree Banks v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fees.

CR-14-376. Derrick Demond Glenn v. State of Arkansas, from Bradley County Circuit Court. Motion of Gary W. Potts for attorney's fees.

CR-14-381. Herman Ray Frasure v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CR-14-540. Jerry F. Kirk v. State of Arkansas, from Searcy County Circuit Court. Appellee's motion to dismiss appeal.

CR-14-652. Lasette McDougal v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion to supplement the record.

CR-14-779. Brandon House v. State of Arkansas, from Clark County Circuit Court. Appellant's motion for consolidation of appeals or, in the alternative, for an extension of time to file brief.

CR-14-780. Brandon House v. State of Arkansas, from Clark County Circuit Court. Appellant's motion for consolidation of appeals or, in the alternative, for an extension of time to file brief.

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MOTIONS SUBMITTED

CV-13-949. Kimberly Stibich v. Adam S. Stibich, from Garland County Circuit Court. Appellee's motion to dismiss cross-appeal and motion for leave to file belated response.

CV-13-1077. Clyde Ray King and Eileen McMurray v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Pro se motion to file a belated petition for rehearing and recall the mandate.

CV-13-1134. Albert Coleman v. Eric Strom and Ida Strom, from Pulaski County Circuit Court, Sixteenth Division. Appellees' motion for dismissal.

CV-14-368. Tammy Wilcoxon v. William Tony Thomas, from Ashley County Circuit Court. Appellee/Cross-Appellant's combined motion to dismiss appeal for want of jurisdiction, to stay briefing schedule, or to extend time.

CV-14-558. Coy D. Reece v. Eaton Corporation, Old Republic Insurance Company, Second Injury Fund, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Motion to set a separate briefing schedule for appellee Second Injury Fund.

CV-14-663. Jennifer Poff Talley et al. v. Carolyn Peedin et al., from Cleburne County Circuit Court. Appellants' motion for supersedeas bond.

CV-14-693. Barton AG Center, Inc.; Verlon Spencer; and Greenway Equipment, Inc. v. William Case, from Pulaski County Circuit Court, Fifth Division. Appellee's motion to dismiss cross-appeal.

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

CV-14-994. Khosrow Gyalog v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Appellant's motion to remand the record for correction, for specific instructions on remand, and to stay brief time.

E-13-216. Princella Block v. Director et al., from the Arkansas Board of Review. Pro se motion to set aside decision by the law clerk pursuant to Rule 60 of the Rules of Civil Procedure.

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MOTIONS SUBMITTED

E-14-654. Crystal Jamerson v. Director et al., from the Arkansas Board of Review. Pro se motion to add new evidence.

E-14-947. Michael Thomas v. Director et al., from the Arkansas Board of Review. Pro se motion to file a belated appeal.

E-14-948. Steve Bradley v. Director et al., from the Arkansas Board of Review. Pro se motion to file a belated appeal.

E-14-966. Betty Bass v. Director et al., from the Arkansas Board of Review. Pro se motion to file a belated appeal.

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CASES SUBMITTED

CR-14-127. Elizabeth J. McClellan v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-14-222. Akeem Allajowuan Lewis v. State of Arkansas, from Independence County Circuit Court.

CR-14-245. John Earl Adams v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-14-459. Jalibra Ingram v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-14-626. Jordan Arie Schneider v. State of Arkansas, from Benton County Circuit Court.

CV-14-18. Gavin Edwards v. Synergy Business Services, LLC, from Benton County Circuit Court.

CV-14-34. Jose Peraza, Leticia Orellana, and Daniel Peraza v. United Financial Casualty Company, from Faulkner County Circuit Court.

CV-14-330. Federal National Mortgage Association v. Jolynn Taylor, from Carroll County Circuit Court, Western District.

CV-14-424. Taira Simmering v. Tadd Simmering, from Saline County Circuit Court.

CV-14-457. Paul Anthony Graver v. City of Alexander, Arkansas, from Pulaski County Circuit Court Sixth Division.

CV-14-478. John Walls, Jr. v. Dorothy Jean Walls, from Craighead County Circuit Court, Western District.

CV-14-481. Boston Mountain Regional Solid Waste Management District v. Benton County Regional Solid Waste Management District, from Benton County Circuit Court.

CV-14-554. Talvin Collins v. Harry Hall, Veronica Tensley, and Sonja Farley, from Jefferson County Circuit Court.

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CASES SUBMITTED

CV-14-661. Anita Harbin v. Arkansas Department of Human Services and Minor Child, from Cleburne County Circuit Court.

CV-14-724. Eugene Jones v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Tenth Division.

CV-14-729. Jennifer Jones v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

Opinions are available on the internet at

<http://courts.arkansas.gov>