

# ARKANSAS COURT OF APPEALS

## PROCEEDINGS OF DECEMBER 17, 2014

### ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-14-459](#). Jalibra Ingram v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed. Whiteaker and Hixson, JJ., agree.

[CV-14-18](#). Gavin Edwards and Synergy Realty Group, LLC v. Synergy Business Services, LLC; Chris Taylor and Barbara Taylor, from Benton County Circuit Court. Dismissed. Whiteaker and Hixson, JJ., agree.

### BRANDON J. HARRISON, JUDGE:

[CR-13-1119](#). Adam Douglas Roe v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Vaught and Brown, JJ., agree.

[CR-14-490](#). Roy Samuel Hurst v. State of Arkansas, from the Arkansas County Circuit Court, Southern District. Affirmed. Hixson and Wood, JJ., agree.

[CR-14-626](#). Jordan Arie Schneider v. State of Arkansas, from Benton County Circuit Court. Affirmed. Vaught and Brown, JJ., agree.

[CV-14-280](#). Ricky Teague and Niki Teague, Husband and Wife v. Joe Canfield and Elsie Canfield, Husband and Wife, from Washington County Circuit Court. Affirmed. Walmsley and Gruber, JJ., agree.

### RITA W. GRUBER, JUDGE:

[CR-13-1094](#). Moses A. Kimmons v. State of Arkansas, from Crittenden County Circuit Court. Rebriefing ordered; motion denied. Glover and Brown, JJ., agree.

[CR-14-53](#). Alfonzo Green v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion granted. Glover and Brown, JJ., agree.

[CV-14-661](#). Anita Harbin v. Arkansas Department of Human Services and Minor Child, from Cleburne County Circuit Court. Affirmed. Harrison and Glover, JJ., agree.

### DAVID M. GLOVER, JUDGE:

[CV-14-457](#). Paul Anthony Graver v. City of Alexander, Arkansas, from Pulaski County Circuit Court, Sixth Division. Appeal dismissed. Gruber and Vaught, JJ., agree.

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DAVID M. GLOVER, JUDGE: (Continued)

[CV-14-729](#). Jennifer Jones v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to be relieved granted. Gruber and Vaught, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-14-245](#). John Earl Adams v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Gladwin, C.J., and Hixson, J., agree.

[CR-14-294](#). Dewayne Curtis Wright v. State of Arkansas, from Ouachita County Circuit Court. Rebriefing ordered; motion to withdraw as counsel denied. Gladwin, C.J., and Hixson, J., agree.

[CR-14-296](#). Marlon Tramain Myers v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gladwin, C.J., and Hixson, J., agree.

[CR-14-644](#). Michael Thomas v. State of Arkansas, from Polk County Circuit Court. Affirmed. Pittman and Glover, JJ., agree.

[CV-14-424](#). Taira Simmering v. Tadd Simmering, from Saline County Circuit Court. Reversed and remanded. Gladwin, C.J., and Hixson, J., agree.

[CV-14-436](#). Charles McIntosh v. Kim McIntosh, from Pulaski County Circuit Court, Fifteenth Division. Appeal dismissed. Pittman and Glover, JJ., agree.

[CV-14-691](#). Tommy Thompson v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Reversed and remanded. Pittman and Glover, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-14-127](#). Elizabeth McClellan v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Harrison and Brown, JJ., agree.

[CR-14-210](#). Jimmy Paul Pickle v. State of Arkansas, from Craighead County Circuit Court, Western District. Reversed and remanded. Pittman, Wynne, and Whiteaker, JJ., agree. Brown and Gruber, JJ., concur. Gladwin, C.J., and Walmsley and Glover, JJ., dissent.

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LARRY D. VAUGHT, JUDGE: (Continued)

[CV-14-478](#). John Walls, Jr. v. Dorothy Jean Walls, from Craighead County Circuit Court, Western District. Affirmed. Harrison and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-14-222](#). Akeem Allajowuan Lewis v. State of Arkansas, from Independence County Circuit Court. Affirmed. Gladwin, C.J., and Whiteaker, J., agree.

[CV-14-554](#). Talvin Collins v. Harry Hall, Individually and in His Official Capacity as Alderman; Veronica Tensley, Individually and in Her Official Capacity as Alderwoman; Sonja Farley, Individually and in Her Official Capacity as Alderwoman; and City of Gould, from Jefferson County Circuit Court. Affirmed. Gladwin, C.J., and Whiteaker, J., agree.

WAYMOND M. BROWN, JUDGE:

[CR-14-55](#). Gregory S. Crum v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Harrison and Vaught, JJ., agree.

[CV-14-481](#). Boston Mountain Regional Solid Waste Management District v. Benton County Regional Solid Waste Management District, from Benton County Circuit Court. Dismissed without prejudice. Harrison and Vaught, JJ., agree.

[CV-14-722](#). Tara Russell v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Harrison and Vaught, JJ., agree.

[CV-14-724](#). Eugene Jones v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Tenth Division. Affirmed; motion to withdraw granted. Harrison and Vaught, JJ., agree.

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**PER CURIAM ORDERS**

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

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

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.

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CR-13-557. Ismeal Leal v. State of Arkansas, from Crittenden County Circuit Court. Motion of John Ogles for attorney's fees is granted. Allowed \$1,800.00.

CR-14-317. Donald Lynn Jones v. State of Arkansas, from Saline County Circuit Court. Motion of Bobby R. Digby II for attorney's fees is granted. Allowed \$1,800.00.

CR-14-338. Melissa McCann Arms v. State of Arkansas, from Polk County Circuit Court. Motion of Randy Rainwater for attorney's fees is granted. Allowed \$1,215.00.

CR-14-340. Richard Brian Ford v. State of Arkansas, from Polk County Circuit Court. Motion of Randy Rainwater for attorney's fees is granted. Allowed \$1,080.00.

CR-14-365. H.V. v. State of Arkansas, from Benton County Circuit Court. Motion of Misty Wilson Borkowski for attorney's fees is granted. Allowed \$1,800.00.

CR-14-892. Kenneth O. Newton v. State of Arkansas, from Union County Circuit Court. Appellant's motion to complete the record is granted.

CR-14-892. Kenneth O. Newton v. State of Arkansas, from Union County Circuit Court. Appellant's motion for continuance of briefing schedule is granted.

CV-14-337. Oksana G. Hackney v. Josh Hackney, from Pulaski County Circuit Court, Fourteenth Division. Appellant's motion to strike appellee's supplement abstract and addendum, or, in the alternative, to allow appellant to file a substitute abstract, brief addendum, and to stay briefing schedule is passed until the case is submitted. Appellant's reply brief is due in fifteen days.

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**PER CURIAM ORDERS**

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 expansion of statement of the case and argument page limits is granted. Gruber, Whiteaker, and Brown, JJ., would deny.

CV-14-781. Debra Clark v. Mickey's Special Affairs, Inc., et al., from the Arkansas Workers' Compensation Commission. Pro se motion to supplement the record is denied.

CV-14-878. Rebecca Sarut v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Appellant's motion to ask permission to place missing pages in appellant's opening brief is granted.

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 is remanded to the circuit court to settle the record in thirty days. Gruber, J., not participating.

E-14-976. John Hammond v. Director et al., from the Arkansas Board of Review. Pro se motion for release of information from employer is denied.

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### CASES SUBMITTED

CR-14-377. Laquay Kindle v. State of Arkansas, from Johnson County Circuit Court.

CR-14-382. Ricky Peals v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-383. Antonio Gammon v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-385. Dewayne Brown v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-451. Robert Jones v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-466. Marcus Sims v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-509. Frank Pledger v. State of Arkansas, from Miller County Circuit Court.

CR-14-520. Marlin Leach v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-521. Jeff Dawson v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-522. Alonzo Buckley v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-523. Derek Harmon v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-524. Derrick Whitney v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-579. Khiry Nichols v. State of Arkansas, from Washington County Circuit Court.

CR-14-634. Christopher Clemons v. State of Arkansas, from Grant County Circuit Court.

CR-14-653. Ricky White v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-660. Vincent Showers v. State of Arkansas, from Crittenden County Circuit Court.