

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

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

[CV-14-734](#). Michael A. Hayes v. Sandra L. Otto, from Pulaski County Circuit Court, Fourteenth Division. Affirmed. Abramson and Harrison, JJ., agree.

**BART F. VIRDEN, JUDGE:**

[CV-14-592](#). Travelers Casualty & Surety Company of America, and Boyd Corley Construction, LLC, d/b/a Tycor Construction, LLC, a/k/a Tycor Industries, LLC v. Cummins Mid-South, LLC, from Ouachita County Circuit Court. Reversed. Gruber and Glover, JJ., agree.

[CV-14-697](#). Georgina Peavler v. Shirley Bryant, from Sebastian County Circuit Court, Greenwood District. Reversed and remanded with directions. Glover, J., agrees. Gruber, J., concurs.

**BRANDON J. HARRISON, JUDGE:**

[CR-13-313](#). Antwan Fowler v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Gladwin, C.J., and Abramson, J., agree.

[CV-14-891](#). Covenant Presbytery v. First Baptist Church, Osceola, Arkansas, and Sun Trust Bank, as Trustee Under the Will of Stanley D. Carpenter, from Mississippi County Circuit Court, Osceola District. Reversed and remanded on direct appeal; cross-appeal moot. Virden and Hixson, JJ., agree.

**M. MICHAEL KINARD, JUDGE:**

[CR-14-859](#). Robert Lavelle Davis v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed in part; affirmed as modified in part. Glover and Hixson, JJ., agree.

[E-14-769](#). Karen Hubbard v. Director, Department of Workforce Services, and Walmart, from the Arkansas Board of Review. Affirmed in part; reversed and remanded in part. Abramson and Vaught, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CR-13-1094](#). Moses A. Kimmons v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Virden and Whiteaker, JJ., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

RITA W. GRUBER, JUDGE (Continued)

[CV-13-969](#). Alvester Bingham v. C&L Electric Cooperative, a Corporation, from Desha County Circuit Court. Affirmed. Abramson, Glover, and Hixson, JJ., agree. Hoofman, J., concurs. Virden, J., dissents.

DAVID M. GLOVER, JUDGE:

[CR-14-873](#). Dylan Massey v. State of Arkansas, from Arkansas County Circuit Court, Southern District. Affirmed. Kinard and Hixson, JJ., agree.

[CV-14-930](#). Rochelle Thompson and Timothy Thompson v. Tyson Foods, Inc., from Jefferson County Circuit Court. Rebriefing ordered. Gladwin, C.J., and Hoofman, J., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-14-1012](#). M.J. v. State of Arkansas, from Benton County Circuit Court. Affirmed. Virden and Gruber, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-14-907](#). Ashley Terry Basham and Charles Basham v. Arkansas Department of Human Services and Minor Child, from Miller County Circuit Court. Reversed and remanded as to Ashley Terry Basham; affirmed as to Charles Basham; motion to withdraw granted. Hoofman and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-14-905](#). Gary Steve Lloyd v. Pier West Property Owners Association and State Farm Fire and Casualty Company, from Garland County Circuit Court. Supplemental record and addendum ordered. Kinard and Glover, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CR-14-749](#). Michael Anthony Williams v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed in part, reversed and remanded in part. Gladwin, C.J., and Glover, J., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

CLIFF HOOFFMAN, JUDGE: (Continued)

[CV-14-502](#). Clint Beason v. Mona Parks, from Polk County Circuit Court. Reversed and dismissed. Gladwin, C.J., and Virden, Kinard, Whiteaker, and Hixson, JJ., agree. Gruber, Vaught, and Brown, JJ., dissent.

[CV-14-967](#). Mark Lamb v. Angela Lamb Rodriguez, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Vaught and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-14-1001](#). Riley Vernon McFalls and Linda Sue McFalls v. Ralph Crenshaw and Donna Crenshaw, from White County Circuit Court. Dismissed. Vaught and Hoofman, 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-14-775. Ronnie Romine v. Director et al.

E-14-776. Sandy Peters v. Director et al.

E-14-777. Alicia Holland v. Director et al.

E-14-778. Robert Halford v. Director et al.

E-14-779. Bonnie Mulkey v. Director et al.

E-14-780. Katherine Morris v. Director et al.

E-14-781. Tracey Cheney v. Director et al.

E-14-782. Andre Bell v. Director et al.

E-14-783. Diane Morris v. Director et al.

E-14-784. James Newton v. Director et al.

E-14-785. Charles Hancock v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

E-14-786. Cassandra Zimmerman v. Director et al.

E-14-787. Warren E. Hooks, Jr. v. Director et al.

E-14-788. Christopher Summers v. Director et al.

E-14-791. Glen Edom v. Director et al.

E-14-792. Laurie Waller v. Director et al.

E-14-793. Richard White, Jr. v. Director et al.

E-14-795. Helen Bennett v. Director et al.

E-14-796. Daniel Holada v. Director et al.

E-14-797. Christine O'Neill v. Director et al.

E-14-798. Willie Dixon v. Director et al.

E-14-799. Timothy Joyce v. Director et al.

E-14-800. Leroy Cobb v. Director et al.

E-14-801. David Ealy v. Director et al.

E-14-802. Shirear McKinley v. Director et al.

E-14-803. Shakendria Baker v. Director et al.

E-14-804. Elizabeth Fenner v. Director et al.

E-14-805. Kirk Rankin v. Director et al.

E-14-806. Leslie Latham v. Director et al.

E-14-807. Leslie Latham v. Director et al.

E-14-808. Joyce Jenkins v. Director et al.

E-14-809. Darryl Coffey v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

E-14-810. Ramon Gonzalez v. Director et al.

E-14-811. Edith Evans v. Director et al.

E-14-812. Jerry Lunningham v. Director et al.

E-14-813. Diana Jones v. Director et al.

E-14-814. Walter Parker v. Director et al.

E-14-815. Alisha Williams v. Director et al.

E-14-816. Stanley Massey v. Director et al.

E-14-817. Terry Schaecher v. Director et al.

E-14-818. Earlene Williams v. Director et al.

E-14-819. Stephanie Johnson v. Director et al.

E-14-820. Christine Rowe v. Director et al.

E-14-821. Steven Petty v. Director et al.

E-14-822. Teryl Finley v. Director et al.

E-14-823. Kristen Haney v. Director et al.

E-14-824. Barbara Banks v. Director et al.

E-14-825. Brittany Strickland v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

**PER CURIAM ORDERS**

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

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.

CV-14-289. Leon Wilmoth, Manager, Safari Real Estate, LLC v. Southwest Arkansas Utilities Corporation, from Benton County Circuit Court.

CV-14-740. Stephanie Ganus v. St Bernard's Hospital, LLC, et al., from the Arkansas Workers' Compensation Commission.

CV-14-744. Ralph Crenshaw and Donna Crenshaw v. Riley Vernon McFalls and Linda Sue McFalls, Each in His and Her Representative Capacity as a Trustee of the Riley Vernon McFalls Revocable Trust and the Linda Sue McFalls Revocable Trust, from White County Circuit Court.

\*\*\*\*\*

CR-13-316. Antwan Fowler v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion to dismiss or, in the alternative to strike appellant's substituted brief is denied. Gladwin, C.J., would grant the motion to dismiss. Glover, J., not participating.

CR-13-316. Antwan Fowler v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for extension of time in which to file response to appellee's motion to dismiss or, in the alternative to strike appellant's substituted brief is denied. Glover, J., not participating.

CR-13-316. Antwan Fowler v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion to stay brief time pending the resolution of appellee's motion to strike. Appellee's brief is due in thirty days. Glover, J., not participating.

CR-13-316. Antwan Fowler v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for extension of time in which to file response to appellee's motion to stay brief time pending the resolution of appellee's motion to strike is denied. Glover, J., not participating.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

**PER CURIAM ORDERS**

CR-14-560. Jeffrey Paul Whittier v. State of Arkansas, from Saline County Circuit Court. Entry of appearance and motion of J. Brent Standridge to be shown as co-counsel. Remanded to the circuit court for a hearing pursuant to *Brewer v. State of Arkansas*, 66 Ark. App. 324 (1999).

CR-14-570. Donald Campbell v. State of Arkansas, from Hot Spring County Circuit Court. Appellee's motion to dismiss appeal is denied.

CR-14-1030. Z.L. v. State of Arkansas, from Jackson County Circuit Court. Appellant's motion to supplement the record is granted.

CR-14-1030. Z.L. v. State of Arkansas, from Jackson County Circuit Court. Appellant's additional motion to supplement the record is granted.

CR-15-30. Tara Watts v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to supplement the record on appeal is granted.

CR-15-64. Francisco Medley v. State of Arkansas, from Saline County Circuit Court. Appellant's motion for extension of brief time and file belated brief is granted.

CR-15-113. Stanley Nelson v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant's petition for writ of certiorari to complete the record is granted.

CR-15-139. Ramon Perez v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion to stay briefing schedule and to remand matter to settle the record is granted.

CR-15-241. John Ross v. State of Arkansas, from Garland County Circuit Court. Motion of Bobby R. Digby II to substitute counsel is denied without prejudice.

CV-14-1096. Jeannie Sherman v. Raymond Boeckmann, from Cross County Circuit Court. Appellant's motion for reconsideration is denied.

CV-15-92. Arneshia L. Ryan v. Britney Q. White, from St. Francis County Circuit Court. Appellant's motion to file belated brief is granted.

CV-15-196. Tim Whaley v. Pam Beckham and Don Beckham, from Lonoke County Circuit Court. Appellant's emergency application for stay of judgment is denied.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

**MOTIONS SUBMITTED**

CR-14-519. Donnie Fronterhouse v. State of Arkansas, from Washington County Circuit Court. Motion of D. Ryan Mullenix for attorney's fees.

CR-14-995. Shawn Allen Williams v. State of Arkansas, from Greene County Circuit Court. Appellee's motion to dismiss appeal.

CR-15-152. Matthew Brian Burnside v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to file supplemental record.

CR-15-211. J'Donta Delmarco Britt v. State of Arkansas, from Washington County Circuit Court. Motion of Tim Buckley for appointment of counsel.

CV-14-359. Yosef Kapach v. Bettine Field Carroll, from Boone County Circuit Court. Appellee's motion for costs and attorney's fees.

CV-14-741. Edward Edmondson, Sr. v. Penny Edmondson-Lockett, from Pulaski County Circuit Court, Sixteenth Division. Appellee's motion for reconsideration and request for additional time to file brief.

CV-14-881. Ace Mechanical, Inc., et al. v. Kenny Holloway, from the Arkansas Workers' Compensation Commission. Appellee's motion for an award of attorney's fees.

CV-14-1017. Sandy M. Sharp v. Angela Pike, from Benton County Circuit Court. Appellant's motion for extension of time to file belated brief.

E-14-1063. Melachi Mattingly v. Director et al., from the Arkansas Board of Review. Motion of appellee Director, Department of Workforce Services, to correct the record.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

**CASES SUBMITTED**

CR-14-779. Brandon Lamont House v. State of Arkansas, from Clark County Circuit Court.

CR-14-893. Zayzhon Thompson v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-14-1032. Larry Edgar Truitt v. State of Arkansas, from Crittenden County Circuit Court.

CR-14-1052. Nathan Neil Sizemore v. State of Arkansas, from Washington County Circuit Court.

CV-14-229. Marcia Jane Shepherd v. James Jones, from Pulaski County Circuit Court, Twelfth Division.

CV-14-368. Tammy Wilcoxon v. William Tony Thomas, from Ashley County Circuit Court.

CV-14-533. Don Davis v. Cheryl Davis, from Pope County Circuit Court.

CV-14-713. SMS Planting Company et al. v. Farm Bureau Mutual Insurance Company of Arkansas, Inc., et al., from Desha County Circuit Court.

CV-14-754. John Hall v. State Farm Bank, from Independence County Circuit Court.

CV-14-791. Charis Sherland v. Terri Sherland, from Lonoke County Circuit Court.

CV-14-836. Bob Derrick v. Juanita Derrick et al., from Sebastian County Circuit Court, Greenwood District.

CV-14-883. Darrell Wayne Bradford v. Joann Elizabeth Bradford, from Van Buren County Circuit Court.

CV-14-1068. Union Drilling, Inc., et al. v. Justin Griffith et al., from the Arkansas Workers' Compensation Commission.

CV-14-1087. Freddy McDougal and Linda McDougal v. Sabine River Land Company and XTO Energy, Inc., from Independence County Circuit Court.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

**CASES SUBMITTED**

CV-14-1113. Brittany Mitchell v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eighth Division.

CV-14-1121. Glen Taylor v. Arkansas Department of Human Services and Minor Children, from Pope County Circuit Court.

CV-15-14. Jennifer McDonald v. Arkansas Department of Human Services and Minor Children, from Clay County Circuit Court, Eastern District.

CV-15-16. Melissa Cogburn v. Arkansas Department of Human Services and Minor Children, from Clark County Circuit Court.

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

E-14-850. Stacey McKinney v. Director et al.

E-14-851. Christopher Thrower v. Director et al.

E-14-852. Ebony Madison v. Director et al.

E-14-853. Fredrick Griffin v. Director et al.

E-14-854. Shaquita Warren v. Director et al.

E-14-855. Deborah Jeffcoat v. Director et al.

E-14-856. Willie Webb v. Director et al.

E-14-857. Willie Brown v. Director et al.

E-14-858. Christi Sanders v. Director et al.

E-14-859. Donna Thompson v. Director et al.

E-14-860. Dean Ehrenheim v. Director et al.

E-14-861. NBMC, Inc. v. Director et al.

E-14-862. Reginald Adams, Sr. v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF APRIL 15, 2015**

**CASES SUBMITTED**

- E-14-863. LaSonya Baker v. Director et al.
- E-14-864. Marilyn Worsham v. Director et al.
- E-14-865. Gary Arwood v. Director et al.
- E-14-866. Teresa Byrum v. Director et al.
- E-14-867. Judy Brown v. Director et al.
- E-14-869. Ronald Shepard v. Director et al.
- E-14-870. Joseph Randolph v. Director et al.
- E-14-871. Dean Ward v. Director et al.
- E-14-872. Leonard Huff, Jr. v. Director et al.
- E-14-873. Perry Davis v. Director et al.
- E-14-874. Jonathan Flemister v. Director et al.

Opinions are available on the internet at

<http://courts.arkansas.gov>