

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 6, 2015**

ROBERT J. GLADWIN, CHIEF JUDGE:

[CV-14-421](#). John J. Bruchhagen v. Felicia Wheat Acord, from Pulaski County Circuit Court, Sixth Division. Appeal dismissed. Abramson and Harrison, JJ., agree.

[CV-14-754](#). John Hall v. State Farm Bank, from Independence County Circuit Court. Affirmed. Abramson and Harrison, JJ., agree.

[CV-14-925](#). Emergency Ambulance Service, Inc., Employer, and AIG Claims, Inc. v. Carla Burnett, from the Arkansas Workers' Compensation Commission. Affirmed. Abramson and Harrison, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-14-1093](#). Maurice Langford v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Gladwin, C.J., and Harrison, J., agree.

[E-14-507](#). Patricia Hernandez v. Director, Department of Workforce Services, and Simmons Foods, Inc., from the Arkansas Board of Review. Affirmed. Gladwin, C.J., and Harrison, J., agree.

BART F. VIRDEN, JUDGE:

[CR-13-1090](#). James M. Green v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Gruber and Whiteaker, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CV-14-1070](#). Lexicon Holding Company and Tristar Risk Management v. Patrick Howard, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin, C.J., and Abramson, J., agree.

[CV-15-20](#). Gregory Whitt v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Gladwin, C.J., and Abramson, J., agree.

RITA W. GRUBER, JUDGE:

[CR-14-832](#). Mark Todd Morris v. State of Arkansas, from Benton County Circuit Court. Supplementation of addendum ordered. Virden and Whiteaker, JJ., agree.

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RITA W. GRUBER, JUDGE: (Continued)

[CR-14-1052](#). Nathan Neal Sizemore v. State of Arkansas, from Washington County Circuit Court. Affirmed. Virden, J., agrees. Whiteaker, J., concurs.

[CV-15-21](#). Amanda Ramsey v. Arkansas Department of Human Services; A.R., a Minor; C.R., a Minor; J.R., a Minor; and K.R., a Minor, from Saline County Circuit Court. Affirmed; motion granted. Virden and Whiteaker, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-14-667](#). Jeffrey D. Hamby, M.D. v. Health Management Associates, Inc., from Crawford County Circuit Court. Affirmed in part; reversed and remanded in part. Kinard and Hixson, JJ., agree.

[CV-14-1128](#). Damon Rodgers v. Arkansas Department of Human Services and Minor Child, from Faulkner County Circuit Court. Affirmed. Kinard and Hixson, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-14-294](#). Dewayne Curtis Wright v. State of Arkansas, from Ouachita County Circuit Court. Affirmed; motion to withdraw granted. Virden and Gruber, JJ., agree.

[CV-14-1004](#). Peggy Joyce Hinton v. Bethany Christian Services, from Washington County Circuit Court. Affirmed. Virden and Gruber, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-14-994](#). Khosrow Gyalog v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Hoofman and Brown, JJ., agree.

[CV-14-1094](#). Scott Meredith v. Angela Meredith, from Greene County Circuit Court. Affirmed. Hoofman and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-14-326](#). Bruce Allen Echols v. State of Arkansas, from Saline County Circuit Court. Affirmed. Kinard and Glover, JJ., agree.

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KENNETH S. HIXSON, JUDGE: (Continued)

[CV-14-1048](#). Larry Edge and Julius Edge v. Garry B. Sutherland and Brenda Sutherland, Husband and Wife, as Co-Trustees of the Sutherland Revocable Trust Dated July 25, 2007; Kurt Phillips and Virginia Phillips, Husband and Wife; and Garry L. Sutherland and Angela Sutherland, Husband and Wife, from Cleburne County Circuit Court. Affirmed. Kinard and Glover, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CV-14-966](#). Brandi Horton v. Shawn Ray Parrish, from Franklin County Circuit Court, Northern District. Affirmed. Vaught and Brown, JJ., agree.

[E-14-744](#). Rosa Alvarenga v. Director, Department of Workforce Services, and Superior Industries, from the Arkansas Board of Review. Affirmed. Vaught and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-14-1081](#). J.P. v. State of Arkansas, from Benton County Circuit Court. Affirmed. Vaught and Hoofman, JJ., agree.

[CV-14-1101](#). Golden Years Manor and Cannon Cochran Management Services, Inc. v. Kelley Delargy, from the Arkansas Workers' Compensation Commission. Affirmed. 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-14-875. Thelma Jackson v. Director et al.

E-14-876. Lakesha Davis v. Director et al.

E-14-877. Sonja Washington v. Director et al.

E-14-878. Ronald Alberti v. Director et al.

E-14-879. Thomas Foots v. Director et al.

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E-14-880. Charlotte Wallace v. Director et al.

E-14-881. Kevin McElwee v. Director et al.

E-14-882. Nickey McGee v. Director et al.

E-14-883. Nelea Roscot v. Director et al.

E-14-884. Tyffanny Bailey v. Director et al.

E-14-885. Felicia Walker v. Director et al.

E-14-886. Mark McKinnon v. Director et al.

E-14-887. Mark McKinnon v. Director et al.

E-14-888. Amber Tate v. Director et al.

E-14-889. Crystal Moore v. Director et al.

E-14-890. Connie Fouts v. Director et al.

E-14-891. Clarence Webb v. Director et al.

E-14-892. Teresa Goss v. Director et al.

E-14-893. Susan Kelems v. Director et al.

E-14-894. Darryl Brown v. Director et al.

E-14-895. Roselyn Rainey v. Director et al.

E-14-896. James Norman v. Director et al.

E-14-897. Felicia Riney v. Director et al.

E-14-898. Felicia Riney v. Director et al.

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**PER CURIAM ORDERS**

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

CV-14-480. John David Moore v. Nancy Moore, from Logan County Circuit Court, Southern District.

CV-14-668. Owen Kelly v. Mandy Kelly, from Washington County Circuit Court.

CV-14-748. Florida Oil Investment Group, LLC v. Goodwin & Goodwin, Inc., from Sebastian County Circuit Court, Fort Smith District.

CV-14-890. Daren Cason and Dorothy Pauline Cason v. Gladys Lambert, from Ashley County Circuit Court.

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CR-13-1094. Moses Kimmons v. State of Arkansas, from Crittenden County Circuit Court. Motion of Gary J. Barrett for attorney's fees is granted. Allowed \$1,600.00.

CR-14-163. Robert Kenneth Barber v. State of Arkansas, from Washington County Circuit Court. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,800.00.

CR-14-652. Lasette McDougal v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Motion of Charles E. Ellis for attorney's fees is granted. Allowed \$1,800.00.

CR-14-840. Michael Theodis Boyland v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,755.00.

CR-14-873. Dylan Massey v. State of Arkansas, from Arkansas County Circuit Court, Southern District. Motion of Brett D. Watson for attorney's fees is granted. Allowed \$1,800.00.

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**PER CURIAM ORDERS**

CR-14-989. Lachandra Moore v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion requesting permission to tender corrected addendum and brief is granted.

CR-15-234. Calvin Tatum v. State of Arkansas, from Monroe County Circuit Court. Motion of Alex Guynn to withdraw is granted. Abramson, J., not participating.

CR-15-301. Calvin Carrick v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Pro se expedited motion for stay of circuit court hearings pending decision of appeal is denied. Gruber, J., not participating.

CV-14-157. Richard White v. Karen Shepard, from Carroll County Circuit Court, Western District. Appellant's motion for taxation of costs is moot.

CV-15-77. Terry Gibson v. Chanin Gibson, from Garland County Circuit Court. Appellant's petition for writ of certiorari to complete the record or, alternatively, motion for extension of brief time is granted.

CV-15-310. Danny Bennett v. Sheila Bennett, from White County Circuit Court. Appellant's motion for stay and supersedeas is granted. Whiteaker and Brown, JJ., would deny. Harrison, J., not participating.

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**MOTIONS SUBMITTED**

CR-13-724. Frederick Rainey v. State of Arkansas, from Cleveland County Circuit Court. Motion of Bobby R. Digby II for attorney's fees.

CR-15-241. John David Ross v. State of Arkansas, from Garland County Circuit Court. Motion of Byron Rhodes to be relieved as counsel.

CR-15-241. John David Ross v. State of Arkansas, from Garland County Circuit Court. Second motion of Bobby R. Digby II to substitute counsel and entry of appearance.

CR-15-259. Michael Boyd v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion for setting of appeal bond.

CV-14-157. Richard White v. Karen Shepard, from Carroll County Circuit Court, Western District. Appellant's motion for attorney's fees on appeal.

CV-14-157. Richard White v. Karen Shepard, from Carroll County Circuit Court, Western District. Appellee's motion for attorney's fees on appeal.

CV-14-157. Richard White v. Karen Shepard, from Carroll County Circuit Court, Western District. Motion of Kristin Kendrick for permission to withdraw as counsel for appellee.

CV-14-398. Dustin McDaniel, Attorney General, Consumer Utilities Rate Advocacy Division of the Arkansas Attorney General's Office v. Arkansas Public Service Commission and SourceGas Arkansas, Inc., from the Arkansas Public Service Commission. Appellant's motion for remand in light of *McDaniel v. Arkansas Public Service Commission*, 2014 Ark. App. 529, 444 S.W.3d 380.

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 return of supersedeas bond.

CV-14-1096. Jeannie Sherman v. Raymond Boeckmann, from Cross County Circuit Court. Appellant's motion for leave to file belated brief.

CV-15-63. Eileen Madden v. Mercedes-Benz U.S. International, Inc., et al., from Jackson County Circuit Court. Appellant's motion to remand for purposes of settling the record and motion to suspend the briefing schedule.

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**PROCEEDINGS OF MAY 6, 2015**

**MOTIONS SUBMITTED**

E-14-998. Bert Black Service Company v. Director et al., from the Arkansas Board of Review. Motion of Bert Black Service Company to add additional evidence.

E-15-231. Ronald Housley v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

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**CASES SUBMITTED**

CV-14-63. Thomas L. Lagios v. Kenneth Mitchell Goldman and Deanne Fields Goldman, from Columbia County Circuit Court. Orally argued.

CR-12-950. Thomas Rainey v. State of Arkansas, from Dallas County Circuit Court.

CR-14-802. Tracy Land Davis v. State of Arkansas, from Union County Circuit Court.

CV-14-743. Sandra Jean Fry v. Jimmy Wayne Fry, from Hempstead County Circuit Court.

CV-14-852. Fire Systems Technology, Inc. v. First Community Bank of Crawford County, from Crawford County Circuit Court.

CV-14-941. Mae Weaver v. Arkansas Department of Correction and Public Employee Claims, from the Arkansas Workers' Compensation Commission.

CV-14-952. Q. Byrum Hurst et al. v. Arkansas Radiology Affiliates, P.A., et al., from Hot Spring County Circuit Court.

CV-14-1027. Stephanie Reynolds v. Sean Lindberg, from Hempstead County Circuit Court.

CV-14-1129. Murl Caldwell & Son, Inc.; The Estate of Clifford Caldwell; Pat Caldwell; and Earl Wood, Jr. v. Kathleen Proctor, from Saline County Circuit Court.

CV-15-4. Sherwin Thomas v. Superior Industries, from the Arkansas Workers' Compensation Commission.

CV-15-13. Robert B. Prochazka et al. v. Bee-Three Development, LLC, from Pope County Circuit Court.

CV-15-17. Larry Leming v. La-Z-Boy, Inc., and Sedgwick CMS, from the Arkansas Workers' Compensation Commission.

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**CASES SUBMITTED**

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

E-14-954. James Edison v. Director et al.

E-14-955. Reginald Carlock v. Director et al.

E-14-956. Charles Holmes v. Director et al.

E-14-957. Beverly Jackson v. Director et al.

E-14-959. Nichole McClinton v. Director et al.

E-14-960. Brenda Strong v. Director et al.

E-14-961. Tim Tolbert v. Director et al.

E-14-962. Bevette Roberts v. Director et al.

E-14-963. Clyde Gibson III v. Director et al.

E-14-964. Dwight White v. Director et al.

E-14-965. Superior Automotive Group v. Director et al.

E-14-967. Mack Long v. Director et al.

E-14-968. Gerline Charles v. Director et al.

E-14-969. Linda Bouey v. Director et al.

E-14-970. Hugh Smotherman v. Director et al.

E-14-971. Gwendolyn Jarrett v. Director et al.

E-14-972. Lindsey Green v. Director et al.

E-14-973. David Wilcox v. Director et al.

E-14-974. Chasity Taylor v. Director et al.

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**CASES SUBMITTED**

E-14-975. Barabra McClinton v. Director et al.

E-14-976. John Hammond v. Director et al.

E-14-977. Annie Freeman v. Director et al.

E-14-978. Dulce Alcazar v. Director et al.

E-14-979. Robert Marze v. Director et al.

E-14-980. Richard Boyd v. Director et al.

E-14-981. Cedrick Mitchell v. Director et al.

E-14-982. Marcus Yancy v. Director et al.

E-14-983. April Campbell v. Director et al.

E-14-984. April Campbell v. Director et al.

E-14-985. Gwendolyn Beck v. Director et al.

E-14-986. Ruby Nichols v. Director et al.

E-14-987. April Brewer v. Director et al.

E-14-988. Corey Hughes v. Director et al.

E-14-989. Bobby Mabry v. Director et al.

E-14-990. Fred Bee v. Director et al.

E-14-991. Tiffany Johnson v. Director et al.

E-14-992. Roger Pugh v. Director et al.

E-14-993. George Pfeifer v. Director et al.

E-14-994. Shanna Sells v. Director et al.

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**CASES SUBMITTED**

E-14-995. Charles Dobbins v. Director et al.

E-14-996. Whitney Burks v. Director et al.

E-14-997. Betty Story v. Director et al.

E-14-998. Bert Black Service Company v. Director et al.

E-14-999. Arkansas Wood Solutions, Inc. v. Director et al.

E-14-1000. Colton Hodges v. Director et al.

E-14-1001. Kendall Shoals v. Director et al.

E-14-1002. Anthony Summers v. Director et al.

E-14-1003. Arthur Suggs v. Director et al.