

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MAY 20, 2015

ROBERT J. GLADWIN, CHIEF JUDGE:

[CV-14-604](#). Myrtle Stevens v. SEECO, Inc., et al., from Van Buren County Circuit Court. Affirmed. Abramson, J., agrees. Harrison, J., concurs.

[CV-14-1027](#). Stephanie Reynolds v. Sean Lindberg, from Hempstead County Circuit Court. Dismissed on direct appeal and on cross-appeal. Virden and Hixson, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[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. Dismissed without prejudice. Glover and Brown, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CV-14-781](#). Debra Clark v. Mickey's Special Affairs, Inc., and State Farm Fire & Casualty Co., from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin, C.J., and Abramson, J., agree.

M. MICHAEL KINARD, JUDGE:

[CV-14-595](#). Dorothy Williams v. Roger Pate, Tommy Ramsey, Aaron Russell, Jerrod Williams, Tony Marsh, Jim Marsh, and The Pangburn School District, from White County Circuit Court. Affirmed. Glover and Hixson, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-14-802](#). Tracy Land Davis v. State of Arkansas, from Union County Circuit Court. Affirmed. Harrison and Vaught, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-14-63](#). Thomas L. Lagios v. Kenneth Mitchell Goldman and Deanne Fields Goldman, from Columbia County Circuit Court. Affirmed. Brown, J., agrees. Abramson, J., concurs.

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PHILLIP T. WHITEAKER, JUDGE:

[CV-14-713](#). SMS Planting Company d/b/a SMS Farms v. Farm Bureau Mutual Insurance Company of Arkansas, Inc.; Stephen D. Sessions; and Steve Sessions, Inc., from Desha County Circuit Court. Reversed and remanded. Virden and Gruber, JJ., agree.

[CV-14-914](#). Jasmine Holloway v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court. Supplemental addendum ordered. Kinard and Hoofman, JJ., agree.

[CV-14-952](#). Q. Byrum Hurst and Hurst, Morrissey & Hurst, P.L.L.C. v. Arkansas Radiology Affiliates, P.A.; Richard Kremp, M.D.; and Hot Spring County Medical Center, from Hot Spring County Circuit Court. Affirmed. Kinard and Hoofman, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-14-852](#). Fire Systems Technology, Inc. v. First Community Bank of Crawford County, from Crawford County Circuit Court. Appeal dismissed. Harrison and Gruber, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-15-4](#). Sherwin Thomas v. Superior Industries, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin, C.J., and Virden, J., agree.

CLIFF HOOFFMAN, JUDGE:

[CV-15-17](#). Larry Everett Leming v. La-Z-Boy, Inc., and Sedgwick CMS, from the Arkansas Workers' Compensation Commission. Affirmed. Kinard and Whiteaker, JJ., agree.

[E-14-956](#). Charles Holmes v. Director, Department of Workforce Services, and Bent Creek Partners, LLC, from the Arkansas Board of Review. Affirmed. Kinard, J., agrees. Whiteaker, J., concurs.

WAYMOND M. BROWN, JUDGE:

[CV-14-743](#). Sandra Jean Fry v. Jimmy Wayne Fry, from Hempstead County Circuit Court. Affirmed. Abramson and Glover, JJ., agree.

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

E-14-955. Reginald Carlock 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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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.

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

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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.

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PER CURIAM ORDERS

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

CV-14-592. Travelers Casualty and 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.

CV-14-1001. Riley Vernon McFalls and Linda Sue McFalls v. Ralph Crenshaw and Donna Crenshaw, from White County Circuit Court.

CR-13-724. Frederick Rainey v. State of Arkansas, from Cleveland County Circuit Court. Motion of Bobby R. Digby II for attorney's fees is granted. Allowed \$1,800.00.

CR-14-628. Matthew T. Moore v. State of Arkansas, from Montgomery County Circuit Court. Motion of C. Shane Ethridge for attorney's fees is denied.

CR-14-838. Steven Van Ta v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Aubrey L. Barr for attorney's fees and expenses is granted. Allowed \$1,500.00.

CR-14-1032. Larry Edgar Truitt v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,000.00.

CR-14-1093. Maurice Langford v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,800.00.

CR-15-387. Cainis Mackintrush v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion for counsel to be appointed to represent appellant is granted.

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PER CURIAM ORDERS

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, is granted.

CV-14-766. Roger Ferren v. USAA Insurance Company and Shelby County Healthcare Corporation, from White County Circuit Court. Appellant's motion to supplement abstract is granted. Virden and Harrison, JJ., not participating.

CV-14-1012. M.J. v. State of Arkansas, from Benton County Circuit Court. Motion of Amos J. Richards for attorney's fees is granted. Allowed \$1,800.00.

CV-15-51. Elizabeth James v. Butch Lee Walchli, from Sebastian County Circuit Court, Greenwood District. Appellant's motion for stay pending appeal is denied.

CV-15-347. Arkansas Federal Credit Union v. Eleanor Pigg, from Pulaski County Circuit Court, Fifth Division. Appellee's motion to dismiss appeal is passed until the case is submitted.

CV-15-362. Estate of J.D. Ashley, Sr. v. Todd Ashley, from Pulaski County Circuit Court, Sixteenth Division. Appellant's motion to consolidate appeals is granted. Gladwin, C.J., and Hoofman and Brown, JJ., would deny. Gruber, J., not participating.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-14-698. Calvin Ivory v. Woodruff Electric Cooperative Corp., from Lee County Circuit Court.

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.

CV-14-939. Raymond Edwards and Patricia Edwards v. Arkansas Department of Human Services, from Lonoke County Circuit Court.

CV-14-1010. Farmers Insurance Exchange v. Ray Bradford, Lanna Bradford, and Jason Bradford, from Independence County Circuit Court.

CR-13-1090. James M. Green v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees.

CR-14-509. Frank Bemis Pledger v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for attorney's fees.

CV-14-359. Yosef Kapach v. Bettine Field Carroll, from Boone County Circuit Court. Appellant's motion to reconsider request for oral argument.

CV-14-1081. J.P. v. State of Arkansas, from Benton County Circuit Court. Motion of Rosalyn A. Watts for attorney's fees.

CV-15-178. SEECO, Inc., et al. v. Carver L. Holden and Riverbend Exploration & Production, LLC, et al., from White County Circuit Court. Motion of Riverbend Exploration & Production, LLC, adopting appellees' briefs.

CV-15-188. In the Matter of K.D.M., a Minor, from Sebastian County Circuit Court, Fort Smith District. Appellants' motion to hold appeal in abeyance.

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MOTIONS SUBMITTED

CV-15-248. Misti Osborn and Rafael Galvan-Vasquez v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Appellants' motion to dismiss appeal and stay appeal.

CV-15-250. Joanne Amy Doughty v. Richard William Douglas, from Garland County Circuit Court. Pro se motion to correct the record on appeal and motion to stay briefing schedule pending circuit clerk's correction of the record.

CV-15-257. Dwight Ellis Brooks v. JP Morgan Chase Bank, N.A., and State of Arkansas, et al., from Pulaski County Circuit Court, Sixth Division. Motion of appellees Mahfouz, McGowan, Piazza, Beebe, State of Arkansas, and Griffen to dismiss appeal.

CV-15-257. Dwight Ellis Brooks v. JP Morgan Chase Bank, N.A., and State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Motion of appellee JP Morgan Chase Bank, N.A., to dismiss appeal.

CV-15-262. Angela Stout (now Erskin) v. Marvin Stout, from Washington County Circuit Court. Appellant's motion to supplement the record.

CV-15-310. Danny Bennett v. Sheila Bennett, from White County Circuit Court. Appellant's motion to supplement record or petition for writ of certiorari to complete the record.

E-15-204. Cherice Goleman v. Director et al., from the Arkansas Board of Review. Pro se motion to add additional evidence.

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CASES SUBMITTED

CR-14-742. Israel Todd Watson v. State of Arkansas, from Miller County Circuit Court.

CR-14-746. Bryce Allen v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-14-915. Michael Todd v. State of Arkansas, from Hempstead County Circuit Court.

CR-14-947. William Briggs v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CV-13-949. Kimberly Stibich v. Adam S. Stibich, from Garland County Circuit Court.

CV-14-525. Gayle Dawn Zimmerman v. Samuel B. Pope, from Ashley County Circuit Court.

CV-14-597. Randy Bettger, Patrice Bettger, Victor Bettger, Wendell Blackburn, Cristina James, Daisy Pearson, Ray Norman, Betty Norman, Marvin Waddle, and Nina Waddle v. Lonoke County, Arkansas, and Doug Erwin, in His Official Capacity as Floodplain Administrator and County Judge of Lonoke County, Arkansas, from Lonoke County Circuit Court.

CV-14-914. Jasmine Holloway v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court.

CV-14-1005. John F. Dunn and Wendy M. Dunn v. American Mortgage Associates, Inc.; CitiMortgage, Inc.; and Wilson & Associates, P.L.L.C., from Pulaski County Circuit Court, Seventeenth Division.

CV-14-1078. Paul D. Fox v. Perla Yasmine Espinoza Fox, from Sebastian County Circuit Court, Fort Smith District.

CV-14-1097. Charity Lovan Rydberg v. Joshua Lovan, from Sebastian County Circuit Court, Fort Smith District.

CV-15-15. Betsy R. Danner v. Discover Bank, from Clark County Circuit Court.

CV-15-36. Centers For Youth & Families, ATA Workers Comp SI Trust, and Risk Management Resources v. Joyce A. Wood, from the Arkansas Workers' Compensation Commission.

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CASES SUBMITTED

CV-15-59. Razorback Concrete v. Michael Perkins, Sr., from the Arkansas Workers' Compensation Commission.

CV-15-119. Mary Ann Qualls v. Arkansas Department of Human Services and Minor Child, from Yell County Circuit Court, Northern District.

CV-15-120. Jessica Merritt v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court.

CV-15-122. Becky Matthews v. Arkansas Department of Human Services and Minor Child, from Madison County Circuit Court.

CV-15-142. Brittany Studway v. Arkansas Department of Human Services and Minor Child, from St. Francis County Circuit Court.

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

E-14-1055. Donald Parker v. Director et al.

E-14-1056. James Burton v. Director et al.

E-14-1057. Robert Anderson v. Director et al.

E-14-1058. Barney Lynn v. Director et al.

E-14-1059. David Thompson v. Director et al.

E-14-1060. Earnest Young v. Director et al.

E-14-1061. Bertha Allen v. Director et al.

E-14-1062. Crystal Horton v. Director et al.

E-14-1063. Melachi Mattingly v. Director et al.

E-14-1064. Richard Scruggs v. Director et al.

E-14-1066. Jessica Esau v. Director et al.

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CASES SUBMITTED

E-14-1067. Bobby Braswell v. Director et al.

E-14-1068. Wendy Earnhart v. Director et al.

E-14-1069. William Moore v. Director et al.

E-14-1070. Larry Ragland v. Director et al.

E-14-1071. William Mullins v. Director et al.

E-15-1. Patricia Zuber v. Director et al.

E-15-2. James Morrison v. Director et al.

E-15-3. Evette Stewart v. Director et al.

E-15-4. Billie Morrison v. Director et al.

E-15-5. Cordorven Riley v. Director et al.

E-15-6. Moreo Wilson v. Director et al.

E-15-7. Jessie Morgan v. Director et al.

E-15-8. Anthony Smith v. Director et al.