

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-14-915](#). Michael Todd v. State of Arkansas, from Hempstead County Circuit Court. Appeal dismissed. Virden and Hixson, JJ., agree.

[CV-15-15](#). Betsy R. Danner v. Discover Bank, from Clark County Circuit Court. Reversed and remanded. Virden and Hixson, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-14-1005](#). John F. Dunn and Wendy M. Dunn v. American Mortgage Associates, Inc.; CitiMortgage, Inc.; and Wilson and Associates, PLLC, from Pulaski County Circuit Court, Seventeenth Division. Dismissed without prejudice. Glover and Brown, JJ., agree.

[CV-15-122](#). Becky Matthews v. Arkansas Department of Human Services and Minor Child, from Madison County Circuit Court. Affirmed. Glover and Brown, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CR-14-746](#). Bryce Allen v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Gruber and Vaught, JJ., agree.

[CV-13-819](#). Garry Clayton and Zelma Magby v. Batesville Casket Company, Inc., and Humphrey Funeral Service, Inc., from Pope County Circuit Court. Affirmed. Gruber and Vaught, JJ., agree.

M. MICHAEL KINARD, JUDGE:

[CV-15-120](#). Jessica Merritt v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Remanded to supplement the record; supplemental addendum ordered. Whiteaker and Hoofman, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-14-742](#). Israel Watson v. State of Arkansas, from Miller County Circuit Court. Remanded to settle and supplement the record; rebriefing ordered. Harrison and Vaught, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

DAVID M. GLOVER, JUDGE:

[CR-14-947](#). William Briggs v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed. Abramson and Brown, JJ., agree.

[CV-15-142](#). Brittany Studway v. Arkansas Department of Human Services and Minor Child, from St. Francis County Circuit Court. Affirmed; motion to withdraw granted. Abramson and Brown, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[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. Affirmed. Harrison and Gruber, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-14-1078](#). Paul D. Fox v. Perla Yasmine Espinoza Fox, from Sebastian County Circuit Court, Fort Smith District. Affirmed in part; reversed and remanded in part. Gladwin, C.J., and Virden, J., agree.

[CV-15-59](#). Razorback Concrete and Berkley.net v. Michael Perkins, Sr., from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin, C.J., and Virden, J., agree.

CLIFF HOOFFMAN, JUDGE:

[CV-13-949](#). Kimberly Stibich v. Adam Stibich, from Garland County Circuit Court. Rebriefing ordered. Kinard and Whiteaker, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-14-1097](#). Charity S. Lovan (now Rydberg) v. Joshua B. Lovan, from Sebastian County Circuit Court, Greenwood District. Supplemental addendum ordered. Abramson and Glover, JJ., agree.

[CV-15-119](#). Mary Ann Qualls v. Arkansas Department of Human Services and Minor Child, from Yell County Circuit Court, Northern District. Affirmed; motion to withdraw granted. Abramson and Glover, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

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-14-1055. 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.
- 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.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

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.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

PER CURIAM ORDERS

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

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

CV-14-1068. Union Drilling, Inc., and Chartis v. Justin Griffith, Second Injury Fund, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CR-11-415. Edward Anthony Liggins v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,800.00.

CR-13-316. Antwan L. Fowler v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion for extension of brief time is granted. Gladwin, C.J., and Glover, J., not participating.

CR-14-294. Dewayne Curtis Wright v. State of Arkansas, from Ouachita County Circuit Court. Motion of N. Mark Klappenbach for attorney's fees is granted. Allowed \$1,600.00.

CR-14-779. Brandon Lamont House v. State of Arkansas, from Clark County Circuit Court. Motion of Brandon Crawford for attorney's fees is granted. Allowed \$1,600.00.

CR-15-368. Antonio Bryles v. State of Arkansas, from Pulaski County Circuit Court, First Division. Joint motion to substitute counsel on appeal is granted.

CR-15-382. James W. Reardon v. State of Arkansas, from Boone County Circuit Court. Appellant's motion to supplement record and stay of briefing schedule. Motion treated as motion for waiver of addendum obligation under Rule 4-2(a)(8)(A)(ii) and granted.

CV-14-421. John J. Bruchhagen v. Felicia Wheat Acord, from Pulaski County Circuit Court, Sixth Division. Appellee's motion for attorney's fees is denied.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

PER CURIAM ORDERS

CV-14-710. William R. Whittenburg v. John R. Moody and Sandra O. Moody, from Prairie County Circuit Court, Southern District. Pro se motion for addition to addendum is denied.

CV-14-886. Jimmy L. Frost v. Venessa Frost Pennington, from Drew County Circuit Court. Pro se motion for rehearing is denied.

CV-14-956. B.J. v. State of Arkansas, from Clark County Circuit Court. Motion of Brandon Crawford for attorney's fees is granted. Allowed \$1,800.00.

CV-14-1068. Union Drilling, Inc., and Chartis v. Justin Griffith, Second Injury Fund, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Appellees' motion for extension of time to file response to petition for rehearing is moot.

CV-15-11. William L. Bateman v. Lillian C. Heird, from Jefferson County Circuit Court. Appellant's motion for permission to file amended reply brief is granted.

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. Motion to dismiss appeal is granted.

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 is granted.

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 is granted.

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

E-15-273. Kevin Donnerson v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-14-326. Bruce Allen Echols v. State of Arkansas, from Saline County Circuit Court.

CV-14-421. John J. Bruchhagen v. Felicia Wheat Acord, from Pulaski County Circuit Court, Sixth Division.

CV-14-593. Nasser K. Filat v. Jim Rand, Rand Properties I, LLC; Subway Real Estate Corporation; Doctors Associates, Inc.; and Frank and Lisa Gardner, from White County Circuit Court.

CV-14-601. Carlean Canady v. Petit Jean State Bank, from Conway County Circuit Court.

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

CR-15-113. Stanley Nelson v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant's motion to supplement the record.

CR-15-294. Lasaba Hill v. State of Arkansas, from Washington County Circuit Court. Pro se motion to relieve counsel.

CR-15-309. Jessica Denae Johnson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion for consolidation of cases.

CR-15-337. Amy Lee Ballinger v. State of Arkansas, from Ashley County Circuit Court. Appellant's motion to file belated brief.

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

CV-14-495. T.R. v. L.H., P.M., and S.M., from Benton County Circuit Court. Appellant's motion to expand the page limitation for reply brief.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

MOTIONS SUBMITTED

CV-14-593. Nasser K. Filat v. Jim Rand, Rand Properties I, LLC; Subway Real Estate Corporation; Doctors Associates, Inc.; and Frank and Lisa Gardner, from White County Circuit Court. Appellant's motion and request for attorney's fees and costs.

CV-14-699. Nucor Steel-Arkansas and Nucor-Yamato Steel Company v. Arkansas Pollution Control & Ecology Commission and Big River Steel, LLC, from Mississippi County Circuit Court, Osceola District. Motion of appellee Big River Steel, LLC, for leave to file surreply.

CV-14-1126. Leece Properties, LLC; Jeffery W. Leece; and Sherry S. Leece v. Rodney Myers; R.D. Myers Development, Inc.; Scott Vise; and Jonathan D. Jones, Individually and Jonathan D. Jones, Attorney at Law, P.A., from Garland County Circuit Court. Motion of Ronald G. Naramore to withdraw as counsel.

CV-15-98. Michael R. Morris v. Nickolas Knopick, from Baxter County Circuit Court. Appellee's motion to dismiss appeal for lack of final order.

CV-15-98. Michael R. Morris v. Nickolas Knopick, from Baxter County Circuit Court. Appellee's motion for extension.

CV-15-104. Citibank, N.A. v. T. David Carruth et al., from Conway County Circuit Court. Motion of appellee T. David Carruth to dismiss appeal.

CV-15-104. Citibank, N.A. v. T. David Carruth et al., from Conway County Circuit Court. Motion of appellee T. David Carruth for extension of time to file brief.

CV-15-250. Joanne Amy Doughty v. Richard William Douglas, from Garland County Circuit Court. Appellee's motion to modify briefing schedule.

CV-15-300. Priscilla Ponder v. Arkansas Department of Human Services and Minor Children et al., from Union County Circuit Court. Appellant's motion to strike exhibits and transcript from prior hearing which were not introduced at hearing from which appeal was taken.

CV-15-362. Richard H. Ashley and J.D. Ashley, Jr., as Personal Representatives of the Estate of J.D. Ashley, Sr.; Candace Baughman; and Estate of Charolette Ashley, Deceased v. Todd H. Ashley, from Pulaski County Circuit Court, Sixteenth Division. Motion of appellant Candace Baughman to supplement the record.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

CASES SUBMITTED

- CR-14-555. Michael Eugene Rea v. State of Arkansas, from Saline County Circuit Court.
- CR-14-771. Jeffery Dale Hardy v. State of Arkansas, from Crittenden County Circuit Court.
- CR-14-780. Brandon Lamont House v. State of Arkansas, from Clark County Circuit Court.
- CR-14-783. Kamran Tyshun Jackson v. State of Arkansas, from Conway County Circuit Court.
- CR-14-789. Marcus Harris v. State of Arkansas, from Jefferson County Circuit Court.
- CR-14-834. Colton Gene Slusher v. State of Arkansas, from Johnson County Circuit Court.
- CR-14-835. Jay Jones v. State of Arkansas, from Pope County Circuit Court.
- CR-14-842. Fabian Trotter v. State of Arkansas, from Crittenden County Circuit Court.
- CR-14-866. Gerald Allen v. State of Arkansas, from Crittenden County Circuit Court.
- CR-14-888. Sammy Lee Dickson v. State of Arkansas, from Crittenden County Circuit Court.
- CR-14-892. Kenneth O. Newton v. State of Arkansas, from Union County Circuit Court.
- CR-14-895. Jessie James Washington v. State of Arkansas, from Crittenden County Circuit Court.
- CR-14-896. Hannah A. Lesley v. State of Arkansas, from Crittenden County Circuit Court.
- CR-14-913. Teria K. Sutton v. State of Arkansas, from Crittenden County Circuit Court.
- CR-14-921. Cedrick Paschal v. State of Arkansas, from Columbia County Circuit Court.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

CASES SUBMITTED

CR-14-960. Anthony McLemore, Jr. v. State of Arkansas, from Jefferson County Circuit Court.

CR-14-971. Arnold Lee McCabe, Sr. v. State of Arkansas, from Crawford County Circuit Court.

CR-14-1024. Ashley Griffin v. State of Arkansas, from Jefferson County Circuit Court.

CR-14-1029. Samuel Jerome Henderson v. State of Arkansas, from Ashley County Circuit Court.

CR-14-1103. Aaron Keith Hughes v. State of Arkansas, from Hot Spring County Circuit Court.

CR-15-105. Noel Turner v. State of Arkansas, from Lonoke County Circuit Court.

CV-14-1130. Angela Metcalf v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Tenth Division.

CV-15-146. Chantel Simmons v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District.

CV-15-154. Brittany Morton v. Arkansas Department of Human Services and Minor Children, from White County Circuit Court.

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

E-15-34. Sammie Singleton v. Director et al.

E-15-35. David Branscum v. Director et al.

E-15-36. Daymon Dismuke v. Director et al.

E-15-37. Ralph Gonzales, Jr. v. Director et al.

E-15-38. Dave Cook v. Director et al.

E-15-40. Hailey Counce v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 3, 2015

CASES SUBMITTED

- E-15-41. Barry Baldwin v. Director et al.
- E-15-42. Bridgett Smith v. Director et al.
- E-15-43. Karen Hudson v. Director et al.
- E-15-44. Inetta Fryar v. Director et al.
- E-15-45. Sheila Smith v. Director et al.
- E-15-46. LaShonda Brown v. Director et al.
- E-15-47. Kevin Hinton v. Director et al.
- E-15-48. Kyisha Donaldson v. Director et al.
- E-15-49. Shelia Stephens v. Director et al.
- E-15-50. Gregory Ayers v. Director et al.
- E-15-51. Kellie White v. Director et al.
- E-15-52. Patricia Brown v. Director et al.
- E-15-53. Cassie Johnson v. Director et al.
- E-15-54. Cheyenne Basden v. Director et al.
- E-15-55. Gregory Christopher v. Director et al.
- E-15-56. Pamela Nichols v. Director et al.
- E-15-57. Connie McKinnon v. Director et al.
- E-15-58. Karen Claybrooks v. Director et al.