

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF DECEMBER 16, 2015**

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-15-544](#). Detric Deshun Wilson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Glover and Vaught, JJ., agree.

[CV-15-590](#). Glenn W. Myers v. City of Rockport, Arkansas; Arkansas Municipal League WC Trust; and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Glover, Hixson, and Hoofman, JJ., agree. Abramson and Kinard, JJ., dissent.

RAYMOND R. ABRAMSON, JUDGE:

[CV-15-327](#). James Branch v. Stephanie Branch, from Saline County Circuit Court. Dismissed without prejudice. Virden and Whiteaker, JJ., agree.

BART J. VIRDEN, JUDGE:

[CV-15-404](#). Arkansas State Highway & Transportation Department v. RAM Outdoor Advertising, from Sebastian County Circuit Court, Fort Smith District. Reversed. Harrison and Whiteaker, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CR-15-302](#). Eugene McDaniel III v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Affirmed. Kinard and Hoofman, JJ., agree.

[CV-15-373](#). Tony R. Williams v. Cheryl Williams Arnold, from Lonoke County Circuit Court. Affirmed. Virden and Vaught, JJ., agree.

[CV-15-500](#). Kenneth Elsleger and Gloria Elsleger v. Jeff Van Runsick, Tonya Runsick, and White County Title Co., from White County Circuit Court. Reversed and remanded. Virden and Whiteaker, JJ., agree.

[E-15-402](#). Ana Martinez v. Director, Department of Workforce Services, and Yours Truly Consignment Shoppe, from the Arkansas Board of Review. Reversed and remanded. Virden and Whiteaker, JJ., agree.

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M. MICHAEL KINARD, JUDGE:

[CR-15-340](#). Freddie L. Sharp III v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Gladwin, C.J., and Abramson, J., agree.

[CV-15-276](#). Tim Caldwell v. Columbia Mutual Insurance Company, from Lee County Circuit Court. Affirmed on direct appeal; cross-appeal moot. Harrison and Hoofman, JJ., agree.

[CV-15-413](#). Erin Lane Potts v. Timothy D. Potts, Jr., from Sebastian County Circuit Court, Fort Smith District. Affirmed in part; reversed and remanded in part. Gladwin, C.J., and Abramson, J., agree.

RITA W. GRUBER, JUDGE:

[CR-14-742](#). Israel Todd Watson v. State of Arkansas, from Miller County Circuit Court. Affirmed. Hixson and Brown, JJ., agree.

[CR-15-388](#). Jacqueline Ferguson v. State of Arkansas, from Lonoke County Circuit Court. Affirmed. Gladwin, C.J., and Virden, and Hoofman, JJ., agree. Harrison and Kinard, JJ., dissent.

DAVID M. GLOVER, JUDGE:

[CV-15-656](#). Katherine Velasco v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Affirmed. Gladwin, C.J., and Vaught, J., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-15-52](#). Jennifer Brown v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court. Reversed and remanded. Abramson and Virden, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-15-563](#). Vijay Patel, M.D. v. Yogin Patel, from Garland County Circuit Court. Affirmed. Gladwin, C.J., and Glover, J., agree.

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KENNETH S. HIXSON, JUDGE:

[CV-15-652](#). Amanda Miller v. Arkansas Department of Human Services and Minor Children, from Franklin County Circuit Court, Northern District. Affirmed. Gruber and Brown, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CR-15-441](#). Kenneth Cole Sizemore v. State of Arkansas, from Washington County Circuit Court. Affirmed; remanded in part for corrected sentencing order. Harrison and Kinard, 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-15-127. Sherman Steward v. Director et al.

E-15-416. Georgia Moore v. Director et al.

E-15-417. Georgia Moore v. Director et al.

E-15-481. Georgia Moore v. Director et al.

E-15-491. Joseph Berry v. Director et al.

E-15-492. Scott Daggs v. Director et al.

E-15-493. Cynthia Lewellen v. Director et al.

E-15-494. Richard Barues v. Director et al.

E-15-495. Roger Johnson v. Director et al.

E-15-496. Jennifer Crudup v. Director et al.

E-15-497. Timothy White v. Director et al.

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E-15-498. Budget Family Inn v. Director et al.

E-15-499. Dairila Fells v. Director et al.

E-15-500. Bronston Gregory v. Director et al.

E-15-501. Tim Lloyd v. Director et al.

E-15-502. Yalaunda Wilson v. Director et al.

E-15-503. John Evans III v. Director et al.

E-15-504. Melissa Brown v. Director et al.

E-15-505. Antonio Williams v. Director et al.

E-15-506. Teodomira Luna v. Director et al.

E-15-507. Frank Stevens v. Director et al.

E-15-508. Justin Anderson v. Director et al.

E-15-509. Angela Youngblood v. Director et al.

E-15-510. Leon Goston v. Director et al.

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**PER CURIAM ORDERS**

CR-14-835. Jay Jones v. State of Arkansas, from Pope County Circuit Court. Motion of John C. Burnett for attorney's fees and expenses is granted. Allowed \$1,400.00.

CR-14-1071. Calvin Dee Williams v. State of Arkansas, from Crittenden County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

CR-15-72. J.F. v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fees is granted. Allowed \$700.00.

CR-15-74. I.G. v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fees is granted. Allowed \$700.00.

CR-15-78. D.F. v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fees is granted. Allowed \$700.00.

CR-15-79. A.I.M. v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fees is granted. Allowed \$700.00.

CR-15-87. Ronald Vince Fennell v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for leave to supplement the record and extend the due date of the revised abstract and brief is granted.

CR-15-141. James Mikel Reep v. State of Arkansas, from Saline County Circuit Court. Motion of John Ogles for attorney's fees is granted. Allowed \$1,800.00.

CR-15-359. Angela Y. Craft v. State of Arkansas, from Crittenden County Circuit Court. Motion of Tyler Ginn for attorney's fees is granted. Allowed \$1,800.00.

CR-15-361. Terrell Alexander Bass v. State of Arkansas, from Crittenden County Circuit Court. Motion of Tyler Ginn for attorney's fees is granted. Allowed \$1,600.00.

CR-15-369. Tracy Brown v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion for supplemental brief schedule is granted.

CR-15-399. Lamarshare Wells v. State of Arkansas, from Crittenden County Circuit Court. Motion of Tyler Ginn for attorney's fees is granted. Allowed \$1,800.00.

# ARKANSAS COURT OF APPEALS

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### PER CURIAM ORDERS

CV-15-86. Dennis Coleman et al. v. Auxora Arms 2007, LLC; Latrese Atkins; and CenterPoint Energy Arkansas Corporation, from Pulaski County Circuit Court, Third Division. Appellants' motion to dismiss appeal as to separate appellees Auxora Arms 2007, LLC, and Latrese Atkins is granted. Gruber, J., not participating.

CV-15-86. Dennis Coleman et al. v. Auxora Arms 2007, LLC; Latrese Atkins; and CenterPoint Energy Arkansas Corporation, from Pulaski County Circuit Court, Third Division. Appellants' motion to dismiss appeal as to separate appellee CenterPoint Energy Arkansas Corporation is granted. Gruber, J., not participating.

CV-15-168. Liberty Bank of Arkansas, as Trustee of the Vernon E. Arnold Revocable Trust v. Clyde E. Byrd, Jr., Executor of the Estate of Ardellia D. Byrd Arnold, Deceased, from Pope County Circuit Court. Rebriefing ordered. See **per curiam** this date.

CV-15-653. Monroe Carlton, Jerry Rice, Kathy Rice, Amanda Rice, Meredith Lemons, Miranda Pascoe, and Margaret Pleasants v. Grace Rice, from Lonoke County Circuit Court. Appellants' second petition for writ of certiorari to complete record and to stay briefing schedule until completion of record is denied. Gladwin, C.J., and Whiteaker, and Vaught, JJ., not participating.

CV-15-655. Monroe Carlton, Jerry Rice, Kathy Rice, Amanda Rice, Meredith Lemons, Miranda Pascoe, and Margaret Pleasants v. Grace Rice, from Lonoke County Circuit Court. Appellants' second petition for writ of certiorari to complete record and to stay briefing schedule until completion of record is denied. Gladwin, C.J., and Whiteaker, and Vaught, JJ., not participating.

CV-15-663. Lindsey Nicole Hood v. Jimmy Hood, Ruth Hood, and Sherrie Fields, from Saline County Circuit Court. Appellant's petition for certiorari to complete the record and stay briefing schedule and to modify extension order to remove the word "final" is granted. Gladwin, C.J., not participating.

CV-15-664. Karen Granger and Brian Granger v. Farm Bureau Mutual Insurance Company of Arkansas, from Crittenden County Circuit Court. Appellee's motion to dismiss and stay briefing schedule is certified to the Arkansas Supreme Court.

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**PER CURIAM ORDERS**

CV-15-664. Karen Granger and Brian Granger v. Farm Bureau Mutual Insurance Company of Arkansas, from Crittenden County Circuit Court. Motion of separate defendant Mark Baber for clarification and adoption of Farm Bureau Mutual Insurance Company of Arkansas' motion to dismiss appeal is certified to the Arkansas Supreme Court.

CV-15-664. Karen Granger and Brian Granger v. Farm Bureau Mutual Insurance Company of Arkansas, Inc., from Crittenden County Circuit Court. Appellants' motions for extension of time to file brief. Briefing stayed pending outcome of appellee's motion to dismiss.

CV-15-713. Daniel R. Goodwin and The Goodwin Law Firm, PLLC v. Magness Oil Company, Benny W. Magness, Janie A. Magness, and Jeffrey Magness, from Baxter County Circuit Court. Appellants' motion for correction is remanded to the circuit court to settle the record in thirty days (January 15, 2016).

E-15-688. Andrea James v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

# ARKANSAS COURT OF APPEALS

## PROCEEDINGS OF DECEMBER 16, 2015

### MOTIONS SUBMITTED

CR-14-783. Kamran Tyshun Jackson v. State of Arkansas, from Conway County Circuit Court. Motion of Toney B. Brasuell for attorney's fees.

CR-15-229. Kenyon Wayne Taylor v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion to file supplement brief and extension of time to file the brief.

CR-15-294. Lasaba Michael Hill v. State of Arkansas, from Washington County Circuit Court. Motion of Laura Avery for attorney's fees.

CR-15-769. Paul Suchey, Jr. v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's petition for writ of certiorari.

CR-15-769. Paul Suchey, Jr. v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's motion to extend time for filing brief.

CR-15-880. Anna Christine Childers v. State of Arkansas, from Grant County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CV-15-193. Hector Hortelano v. Laura Ivette Hortelano, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion for extension to lodge supplemental record of previously granted petition for certiorari to complete the record and motion to stay briefing schedule.

CV-15-470. MidFirst Bank v. Lori Ledbetter (Sumpter), Carolyn Bedford, and Denise Bedford, from Crittenden County Circuit Court. Appellees' status report.

CV-15-558. Brenda Hendrix, Individually, and as Special Administrator for the Estate of Guy D. Hendrix, Deceased v. Alcoa, Inc., and Breeding Insulation Company, from Saline County Circuit Court. Motion of Arkansas Self-Insurers Association to file amicus curiae brief.

CV-15-580. Kenneth Wayne Sparks v. Teresa Anne Sparks, from Cross County Circuit Court. Appellant's motion for extension to return writ of certiorari to complete record.

CV-15-592. Daniel Patrick and Mary Patrick v. Tyson Foods, Inc.; Woody L. Doss; and Gregory O. Clark, from Washington County Circuit Court. Appellants' motion to file a belated brief.



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**PROCEEDINGS OF DECEMBER 16, 2015**

**MOTIONS SUBMITTED**

CV-15-595. Randeep S. Mann v. Trent Pierce et ux., from Crittenden County Circuit Court. Appellees' motion to correct and supplement the record.

CV-15-598. Marquitta J. Corbin v. Baptist Medical Health Center, Inc., et al., from Pulaski County Circuit Court, Sixteenth Division. Appellant's motion to supplement appellate record and correct appellant's brief.

CV-15-639. Shane Wills v. Theresa Wills, from Washington County Circuit Court. Appellee's motion for continuance.

CV-15-653. Monroe Carlton, Jerry Rice, Kathy Rice, Amanda Rice, Meredith Lemons, Miranda Pascoe, and Margaret Pleasants v. Grace Rice, from Lonoke County Circuit Court. Appellants' motion for additional time to lodge supplemental record in response to clerk's need for time to complete supplemental record.

CV-15-655. Monroe Carlton, Jerry Rice, Kathy Rice, Amanda Rice, Meredith Lemons, Miranda Pascoe, and Margaret Pleasants v. Grace Rice, from Lonoke County Circuit Court. Appellants' motion for additional time to lodge supplemental record in response to clerk's need for time to complete supplemental record.

CV-15-878. Brittany Walden v. Jacob Edward Jackson, from Montgomery County Circuit Court. Appellant's petition for writ of certiorari to complete the record, or alternatively to remand, and to stay briefing schedule.

CV-15-882. Jessica Clark v. Arkansas Department of Human Services and Minor Child, from Ouachita County Circuit Court. Appellees' joint motion to supplement the record.

CV-15-882. Jessica Clark v. Arkansas Department of Human Services and Minor Child, from Ouachita County Circuit Court. Appellees' joint motion to dismiss appeal.

CV-15-897. Danna L. Corgill-Fordyce, Individually, and as Executrix of the Estate of Roswell (Ross) Fordyce, Deceased v. Turkington USA, LLC, et al., from Mississippi County Circuit Court, Chickasawba District. Appellant's motion to remand or for extension of time.

CV-15-898. Clyde N. Booth and Frank W. Booth v. Candice A. Franks, Bank Commissioner of the State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellants' motion for stay of agency proceedings.

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**MOTIONS SUBMITTED**

CV-15-963. Pinnacle Airlines, Inc., and Gallagher Bassett Services, Inc. v. Renee O'Mara, from the Arkansas Workers' Compensation Commission. Joint motion to remand and to stay appellants' appeal to the Arkansas Court of Appeals pending a hearing to approve a joint petition.

# ARKANSAS COURT OF APPEALS

## PROCEEDINGS OF DECEMBER 16, 2015

### CASES SUBMITTED

CR-14-981. Anthony Billy James Burnell v. State of Arkansas, from Garland County Circuit Court.

CR-15-9. Zackery Warren Shadwick v. State of Arkansas, from Johnson County Circuit Court.

CR-15-30. Tara N. Watts v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-15-277. Kendrick D. Dukes v. State of Arkansas, from Arkansas County Circuit Court, Northern District.

CR-15-363. Devin Kirkland v. State of Arkansas, from Poinsett County Circuit Court.

CR-15-364. Monica Morris v. State of Arkansas, from Poinsett County Circuit Court.

CR-15-488. Danny Lee Swanigan v. State of Arkansas, from Faulkner County Circuit Court.

CR-15-529. Casey D. Kennedy v. State of Arkansas, from Boone County Circuit Court.

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

E-14-1013. Franklin Ivy v. Director et al.

E-15-537. Sammie Birkley v. Director et al.

E-15-539. Paul Hood v. Director et al.

E-15-540. Patricia Boling v. Director et al.

E-15-541. Maya Nellum v. Director et al.

E-15-542. Stanley Atkinson v. Director et al.

E-15-543. Cornelius Brooks v. Director et al.

E-15-544. Kim Perry v. Director et al.

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**CASES SUBMITTED**

E-15-545. Layvette Clark v. Director et al.

E-15-546. Diedre Bingham v. Director et al.

E-15-547. David Miles v. Director et al.

E-15-548. Sharonda Hubbard v. Director et al.

E-15-549. Stephanie Estes v. Director et al.

E-15-550. Samantha Frederick v. Director et al.

E-15-551. Tina Fowler v. Director et al.

E-15-552. John Brown v. Director et al.