

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF FEBRUARY 3, 2016**

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

[CV-15-489](#). Thomas John Kennedy of Arkansas, D.D.S., P.C. d/b/a Dentures and Dental Services; and Dr. Ricky Perry v. Barbara Ausbrooks, from Saline County Circuit Court. Affirmed. Abramson and Brown, JJ., agree.

**RAYMOND R. ABRAMSON, JUDGE:**

[CR-14-1022](#). Leopoldo D. Apodaca v. State of Arkansas, from Union County Circuit Court. Affirmed. Gladwin, C.J., and Brown, J., agree.

[CV-15-747](#). Joseph Dodd v. Arkansas Department of Human Services and S.D., Minor Child, from Pulaski County Circuit Court, Tenth Division. Affirmed. Gladwin, C.J., and Brown, J., agree.

**BART F. VIRDEN, JUDGE:**

[CR-15-553](#). Sengathit Phounsavath v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Kinard and Glover, JJ., agree.

**BRANDON J. HARRISON, JUDGE:**

[CV-15-814](#). Sidney Crowley v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Vaught and Hixson, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CV-15-343](#). Teresa Bloodman v. Bank of America, N.A., from Saline County Circuit Court. Affirmed. Kinard and Glover, JJ., agree.

[CV-15-392](#). David G. Graves v. Jennifer A. Graves, from Jefferson County Circuit Court. Affirmed. Whiteaker and Hoofman, JJ., agree.

**DAVID M. GLOVER, JUDGE:**

[CR-15-566](#). Michael Howard v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Virden and Kinard, JJ., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF FEBRUARY 3, 2016**

PHILLIP T. WHITEAKER, JUDGE:

[CV-15-379](#). Marilyn Curry Troutman v. Ronald Troutman, from Washington County Circuit Court. Affirmed. Gruber and Hoofman, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-15-657](#). David Adam Johnson v. State of Arkansas, from Independence County Circuit Court. Affirmed. Harrison and Hixson, JJ., agree.

[CV-15-604](#). Markita Bell v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Harrison and Hixson, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-15-693](#). Larry W. Davis v. State of Arkansas, from Boone County Circuit Court. Affirmed. Harrison and Vaught, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CR-15-259](#). Michael Boyd v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Supplemental abstract and addendum ordered. Virden and Whiteaker, JJ., agree.

[CV-15-305](#). Gregory L. Pelts v. Shelly A. Pelts, from Lonoke County Circuit Court. Affirmed in part; remanded for clarification in part. Gruber, Glover, Vaught, and Brown, JJ., agree. Hixson, J., dissents in part and concurs in part.

WAYMOND M. BROWN, JUDGE:

[CR-15-155](#). Brandon Ulysses Westbrook v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed. Gladwin, C.J., and Abramson, J., 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-15-601. Gil Stills v. Director et al.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF FEBRUARY 3, 2016**

- E-15-604. Leonard Holbrook v. Director et al.
- E-15-605. Alex Williams v. Director et al.
- E-15-606. Chimere Flanagan v. Director et al.
- E-15-607. Angela Henry v. Director et al.
- E-15-608. Nancy Jo Rogers v. Director et al.
- E-15-609. Charles Coleman v. Director et al.
- E-15-611. LaJuan Frazier v. Director et al.
- E-15-612. Patricia Wilhelm v. Director et al.
- E-15-613. Ronald Smith v. Director et al.
- E-15-614. Danny Jackson v. Director et al.
- E-15-615. William West v. Director et al.
- E-15-616. Julie Misenheimer v. Director et al.
- E-15-617. Jonathan Surber v. Director et al.
- E-15-618. Levester Butler v. Director et al.
- E-15-619. JeNell Lowe v. Director et al.
- E-15-620. Adrien Mason v. Director et al.
- E-15-621. Adela Contreras v. Director et al.
- E-15-622. Matthew Warren v. Director et al.
- E-15-623. Melissa Welch v. Director et al.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF FEBRUARY 3, 2016**

E-15-624. Mikell Martinez v. Director et al.

E-15-625. Johnny Stephens v. Director et al.

E-15-626. Ninh Luu v. Director et al.

E-15-627. Milton Tillman v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF FEBRUARY 3, 2016**

**PER CURIAM ORDERS**

PETITION FOR REHEARING: Petition for rehearing was denied today in the following case.

CV-15-669. Samantha Samuels and Shandon Samuels v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

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CR-14-981. Anthony Billy James Burnell v. State of Arkansas, from Garland County Circuit Court. Motion of Charles “Dan” Hancock for award of attorney’s fees is granted. Allowed \$1,600.00.

CR-15-9. Zackery Warren Shadwick v. State of Arkansas, from Johnson County Circuit Court. Motion of Robert M. “Robby” Golden for award of attorney’s fees is granted. Allowed \$1,600.00.

CR-15-140. 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-15-277. Kendrick D. Dukes v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Motion of Doralee Chandler for attorney’s fees is granted. Allowed \$1,800.00.

CR-15-364. Monica Morris v. State of Arkansas, from Poinsett County Circuit Court. Motion of Paul J. Teufel for attorney’s fees is granted. Allowed \$1,800.00.

CR-15-375. Adam Eugene Lane v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Brett D. Watson for attorney’s fees is granted. Allowed \$1,800.00.

CV-15-728. Joe T. Benton III et al. v. Bruce Smith and Jan Smith, from Cleburne County Circuit Court. Appellants’ motion for approval of supersedeas bond and for entry of supersedeas order staying judgment pending appeal is denied without prejudice. Glover, J., not participating.

CV-15-858. Michael A. Reichert v. Amy Smith, from Pulaski County Circuit Court, Fourteenth Division. Appellee’s combined motion to dismiss appeal for want of jurisdiction, to stay briefing schedule, or to extend time. Motion to dismiss is passed until case is submitted.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF FEBRUARY 3, 2016**

**PER CURIAM ORDERS**

CV-15-882. Jessica Clark v. Arkansas Department of Human Services and Minor Child, from Ouachita County Circuit Court. Appellant's motion for reconsideration is denied.

CV-15-1008. Ray Ellis v. Arkansas Department of Human Services and Minor Child, from Craighead County Circuit Court, Western District. Joint motion to correct the record and to stay briefing schedule. Remanded to correct the record.

CV-15-1054. Bernastine L. Coleman Bullard v. Michael Coleman, from Jefferson County Circuit Court. Motion of Alex Guynn to withdraw is granted.

CV-16-16. Davis A. Stebbins v. David D. Stebbins, from Boone County Circuit Court. Appellant's pro se motion to relax copy requirements is denied.

CV-16-16. Davis A. Stebbins v. David D. Stebbins, from Boone County Circuit Court. Appellant's pro se motion for leave to file extra-long argument is denied.

CV-16-16. Davis A. Stebbins v. David D. Stebbins, from Boone County Circuit Court. Appellant's pro se motion for summary reversal and for findings of fact and conclusions of law is denied.

E-16-30. Tivvone Davison v. Director et al., from the Arkansas Board of Review. Respondent's motion to dismiss is granted.

E-16-33. Stefi Powell v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF FEBRUARY 3, 2016**

**MOTIONS SUBMITTED**

CR-14-892. Kenneth O. Newton v. State of Arkansas, from Union County Circuit Court. Motion of N. Mark Klappenbach for attorney's fees.

CR-15-633. Cynthia Marie Glennon v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees.

CV-14-954. Joanne Amy Doughty v. Richard Douglas, from Garland County Circuit Court. Appellant's pro se motion for oral argument.

CV-15-250. Joanne Amy Doughty v. Richard Douglas, from Garland County Circuit Court. Appellant's pro se motion for oral argument.

CV-15-625. Mike Ellis v. Denee Ellis, from Randolph County Circuit Court. Appellee's motion to dismiss.

CV-15-686. Adam Alexander v. Eastern Tank Services, Inc., from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for oral argument.

CV-15-987. Mac Westmoreland v. Mena Public Schools, Arkansas School Boards Association, and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Appellant's motion to supplement the record.

CV-16-20. Centerline Corporate Partners et al. v. ERC Properties, Inc., et al., from Sebastian County Circuit Court, Greenwood District. Joint motion to stay briefing schedule, or in the alternative for extension.

# ARKANSAS COURT OF APPEALS

## PROCEEDINGS OF FEBRUARY 3, 2016

### CASES SUBMITTED

CR-14-364. Delbert Raymond Price v. State of Arkansas, from Washington County Circuit Court.

CR-15-484. Zack J. Ryan v. State of Arkansas, from Polk County Circuit Court.

CR-15-612. Travis Larone Kimble v. State of Arkansas, from Conway County Circuit Court.

CR-15-676. Jonathan Scott Casey v. State of Arkansas, from Benton County Circuit Court.

CR-15-707. Ellis Lee Brisher v. State of Arkansas, from Crawford County Circuit Court.

CR-15-734. Robbie Jewel Lewis v. State of Arkansas, from Independence County Circuit Court.

CV-15-109. Timothy Hollis v. Fayetteville School District No. 1 and Paul Hewitt, in His Official Capacity as Superintendent of Fayetteville School District No. 1, from Washington County Circuit Court.

CV-15-520. Timothy Hollis v. Fayetteville School District No. 1 of Washington County, Arkansas; Tim Hudson; Jim Hal Sell; Bryn Bagwell; Justin Eichmann; Traci Farrah; Susan Heil; Steve Percival; Vicki Thomas; and Steve Jacoby, from Washington County Circuit Court.

CV-15-630. Rikka I. Pulliam v. Sherry P. Murphy, R. Carter Pulliam, and Richard Pulliam, as Trustees of the Ray H. Pulliam Living Trust, from Crittenden County Circuit Court.

CV-15-665. Joyce Jones v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

CV-15-706. Joshua Kilgore v. Robert Mullenax and Senior Dental Care, LLC, from Pulaski County Circuit Court, Second Division.

CV-15-712. Frederick Lee Pitchford v. Nancy E. Wright, from Crittenden County Circuit Court.

# ARKANSAS COURT OF APPEALS

## PROCEEDINGS OF FEBRUARY 3, 2016

### CASES SUBMITTED

CV-15-718. Arkansas Department of Parks & Tourism v. Bill J. Price, from the Arkansas Workers' Compensation Commission.

CV-15-742. Calvin W. Graham and Velores M. Graham, Husband and Wife; and Velores M. Graham as the Trustee of the Velores M. Graham Revocable Trust v. Wanda Tomlinson, Individually, and as Trustee of the Tomlinson Living Trust; Glada Eoff; and Beulah Land Family LLC, an Arkansas Limited Liability Company, from Van Buren County Circuit Court.

CV-15-748. Josefina Renteria Villanueva v. Alejandro Valdivia, from Hot Spring County Circuit Court.

CV-15-815. Michelle Mullin v. Duckwall Alco and Sedgwick Claims, from the Arkansas Workers' Compensation Commission.

CV-15-854. Samantha See and Raymond Vail v. Arkansas Department of Human Services and Minor Child, from Randolph County Circuit Court.

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

E-15-362. Natalie Cline v. Director et al.

E-15-653. Gonzalo Areas v. Director et al.

E-15-654. Carolyn Lasley v. Director et al.

E-15-655. Richard Collins v. Director et al.

E-15-656. William Sowell v. Director et al.

E-15-657. Earl Payne, Jr. v. Director et al.

E-15-658. Stacey Kendall v. Director et al.

E-15-659. Cassandra Kemp v. Director et al.

E-15-660. Kemberley Phillips v. Director et al.

E-15-661. Theodore Hamilton v. Director et al.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF FEBRUARY 3, 2016**

**CASES SUBMITTED**

E-15-662. Amber Gibson v. Director et al.

E-15-663. Mercedes Harris v. Director et al.

E-15-664. Terry Sevenstar v. Director et al.