

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

ROBERT J. GLADWIN, CHIEF JUDGE:

[CV-15-854](#). Raymond Vail and Samantha See v. Arkansas Department of Human Services and S.S., Minor Child, from Randolph County Circuit Court. Affirmed. Virden and Gruber, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-15-365](#). Amber Kimble Shields v. Mitchell Kimble, from Randolph County Circuit Court. Affirmed. Harrison and Glover, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-15-301](#). Calvin Carrick v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Reversed and dismissed. Harrison, Glover, Hixson, and Hoofman, JJ., agree. Kinard, J., concurs. Gladwin, C.J., and Abramson and Whiteaker, JJ., dissent.

[CV-15-547](#). Cynthia Ann Chandler, Administratrix of the Estate of James Edward Harris, Deceased v. Sharron Harris, from Pulaski County Circuit Court, Thirteenth Division. Affirmed in part; reversed and remanded in part. Gladwin, C.J., and Gruber, J., agree.

M. MICHAEL KINARD, JUDGE:

[CV-15-469](#). Gibraltar Lubricating Services, Inc. v. Pinnacle Resources, Inc., from White County Circuit Court. Reversed and remanded. Whiteaker and Hixson, JJ., agree.

[CV-15-792](#). Gain, Inc. v. Meranda Martin, Successor Special Administratrix of the Estate of Virgil Brown, Jr., Deceased, from Pulaski County Circuit Court, Seventeenth Division. Reversed and remanded. Whiteaker and Hixson, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-15-845](#). Ruben E. Watkins v. Michael Turner and Megan Ramirez, from Greene County Circuit Court. Affirmed. Gladwin, C.J., and Virden, J., agree.

DAVID M. GLOVER, JUDGE:

[CV-15-147](#). Brookewood, Limited Partnership v. DeQueen Physical Therapy and Occupational Therapy, Inc., from Sevier County Circuit Court. Dismissed without prejudice. Abramson and Harrison, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

DAVID M. GLOVER, JUDGE: (Continued)

[CV-15-619](#). Sarah C. Gildehaus v. Arkansas Alcoholic Beverage Control Board and Christopher Moore, from Benton County Circuit Court. Affirmed. Kinard, Gruber, and Whiteaker, JJ., agree. Hoofman, J., concurs. Virden, J., dissents.

PHILLIP T. WHITEAKER, JUDGE:

[CV-15-571](#). Bernice Rutland v. Warren McWhorter and Angela McWhorter, from Saline County Circuit Court. Reversed and remanded. Kinard and Hixson, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-15-849](#). Thomas Ray Wilson v. State of Arkansas, from Marion County Circuit Court. Affirmed. Kinard and Whiteaker, JJ., agree.

[CV-15-503](#). Jane Lipscomb Stone, Individually, and as Executrix of the Estate of Madolene Stone, Deceased; Benjamin Hicks Stone III; Ruth Stone Jones; Margaret Stone Cotter; Harriet Stone Evans; Patricia Marty Stone; Edward Durell Stone III; Maria Francesca Stone; Fiona Campbell Stone; and Matthew Whelpley v. Washington Regional Medical Center and City of Fayetteville, Arkansas, from Washington County Circuit Court. Affirmed. Kinard and Whiteaker, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CR-15-627](#). Mack Hinson v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Vaught and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-15-764](#). Albert Leroy Coots and Carolyn Sue Coots v. Alejandro Bandera and Susan Bandera, from Benton County Circuit Court. Remanded for supplementation of the record and for supplementation of the addendum. Vaught and Hoofman, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

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-15-703. Chris Williams v. Director et al.

E-15-704. Sheltebrain Smith v. Director et al.

E-15-705. Tiffany Gyger v. Director et al.

E-15-706. Willie Gibson, Sr. v. Director et al.

E-15-707. Double "R" Florist v. Director et al.

E-15-708. Linda Broadway v. Director et al.

E-15-709. Creshondra Curlett v. Director et al.

E-15-710. Chatara Williams v. Director et al.

E-15-711. Elleana Anderson v. Director et al.

E-15-712. Robert Lewis v. Director et al.

E-15-713. Grady Gulley v. Director et al.

E-15-714. Sharon Rowe v. Director et al.

E-15-715. Kayla Jones v. Director et al.

E-15-716. Michael Vint v. Director et al.

E-15-717. Shakira Walker v. Director et al.

E-15-718. Thomas Stockton v. Director et al.

E-15-719. Robert Lyles, Jr. v. Director et al.

E-15-720. Desiree Wyatt v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 9, 2016

- E-15-721. Michael Raines v. Director et al.
- E-15-722. Omika Humphrey v. Director et al.
- E-15-723. Jacqueline Gilcreast v. Director et al.
- E-15-724. Theresa Towe v. Director et al.
- E-15-725. Patty Horstman v. Director et al.
- E-15-726. Laqwonia Collins v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 9, 2016
PER CURIAM ORDERS

PETITIONS FOR REHEARING:

Petition for rehearing was granted today in the following case.

[CV-15-55](#). India Bishop v. Farm Bureau Mutual Insurance Company of Arkansas, Inc., from Pulaski County Circuit Court, Third Division. See **substituted opinion** this date.

Petitions for rehearing were denied today in the following cases.

CR-15-657. David Adam Johnson v. State of Arkansas, from Independence County Circuit Court.

CV-15-63. Eileen Madden v. Mercedes-Benz U.S. International, Inc., et al., from Jackson County Circuit Court.

CV-15-379. Marilyn Curry Troutman v. Ronald Troutman, from Washington County Circuit Court.

CR-14-570. Donald Corey Campbell v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Scott A. Scholl for attorney's fees and costs is granted. Allowed \$1,800.00.

CR-15-259. Michael Boyd v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Pro se motion for appointment of counsel is granted.

CR-15-705. Terence Christopher Powell v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,800.00.

CR-15-797. James Andrew Moppin v. State of Arkansas, from Boone County Circuit Court. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,800.00.

CV-11-1243. Ryan Roggasch and Elite Homes of Arkansas, Inc. v. Tasha Sims and John Sims, from Saline County Circuit Court. Appellees' petition for attorney's fees is denied.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

PER CURIAM ORDERS

CV-15-878. Brittany Walden v. Jacob Edward Jackson, from Montgomery County Circuit Court. Petition of Michael H. Crawford for withdrawal as counsel is granted.

CV-15-961. J. David John v. Megan Marie Bolinder, from Benton County Circuit Court. Appellant's motion for stay pending appeal is denied.

CV-15-1006. Patricia Jackson v. Nationstar Mortgage LLC, from Pulaski County Circuit Court, Second Division. Appellant's motion to remand to the trial court to complete the record and motion to suspend the briefing schedule is granted.

CV-16-98. Megan Ballard v. Ally Financial, Inc., from White County Circuit Court. Appellee's verified motion to dismiss appeal is passed until the case is submitted.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-15-1. Tierra Stewart and Randall Stewart v. The Estate of Bobby Nolan Herring, from Drew County Circuit Court.

CV-15-45. Elizabeth Ann Williamson, as Administrator of the Estate of Cynthia Frazier, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Cynthia Frazier v. Baptist Health Medical Center, from Pulaski County Circuit Court, Third Division.

CV-15-168. Liberty Bank of Arkansas, as Successor 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.

CV-15-168. Liberty Bank of Arkansas, as Successor 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.

CV-15-343. Teresa Bloodman v. Bank of America, N.A., from Saline County Circuit Court.

CV-15-576. Gerald Stow v. State of Arkansas, from Baxter County Circuit Court.

CR-14-364. Delbert Raymond Price v. State of Arkansas, from Washington County Circuit Court. Petition of David C. Hawkey for attorney's fees.

CR-15-521. Gregory Aaron Kinsey v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to reinvest the circuit court with jurisdiction in order to consider a petition for writ of error coram nobis and to hold appeal in abeyance.

CR-16-166. Mohammed Siddiq v. State of Arkansas, from Saline County Circuit Court. Appellant's petition for writ of certiorari to complete the record, or, in the alternative, motion to remand to settle the record.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

MOTIONS SUBMITTED

CV-14-1072. David Patton, William Patton, and Mary Jones v. Dorothy Fulmer, in Her Capacity as Executrix of the Estate of John M. Fulmer, Deceased, and Individually, from Pulaski County Circuit Court, Twelfth Division. Motion of appellee Dorothy Fulmer, Individually, for continuance of oral argument.

CV-15-343. Teresa Bloodman v. Bank of America, N.A., from Saline County Circuit Court. Appellant's motion for disqualification.

CV-15-580. Kenneth Wayne Sparks v. Teresa Anne Sparks, from Cross County Circuit Court. Appellant's motion for extension of time to file brief.

CV-15-597. James B. Mitchell v. Gregory Klebanoff, from Washington County Circuit Court. Appellee's motion to dismiss appeal.

CV-15-609. George Wheatley d/b/a Velocity Sports Academy v. Dixie Mall 2003, LLC, from Benton County Circuit Court. Appellee's motion for attorney's fees and costs.

CV-15-625. Mike Ellis v. Denee Ellis, from Randolph County Circuit Court. Appellee/cross-appellant's motion for oral argument.

CV-15-805. Ronnie McCord, Clint McCord, and McCord Farms, LLC v. Stanley Foster, Judy Foster, Linda Alden, Danny Brandon, and Ditch 56 Farms, LLC, from Craighead County Circuit Court, Eastern District. Motion of Ditch 56 Farms, LLC, to correct addendum.

CV-15-859. Michael Riddick v. Emily Harris, from Mississippi County Circuit Court, Chickasawba District. Appellee's motion to correct the record or supplement the record and for additional brief time.

CV-15-991. Jacqueline Ferguson and Chris Ferguson v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Appellants' motion to strike untimely brief.

CV-15-991. Jacqueline Ferguson and Chris Ferguson v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Appellants' motion to stay briefing schedule.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

MOTIONS SUBMITTED

CV-15-1044. Harold Brazeal v. Scott Cooper and Orthopedic Clinic, LTD, from Benton County Circuit Court. Motion of Arkansas Trial Lawyers Association to file an amicus curiae brief.

CV-16-17. Talma Ladd v. PS Little Rock, Inc., and Nick Naylor d/b/a Naylor Flooring, from Pulaski County Circuit Court, Ninth Division. Appellees' motion to dismiss appeal.

CV-16-48. Judith L. Arnold v. Jerry K. Ashworth, from Newton County Circuit Court. Appellant's pro se motion to extend time to file corrected materials and to supplement record pursuant to Rule 2-1.

CV-16-75. Melissa Peeler v. Joseph Peeler and Meredith Peeler, from Cross County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

E-16-107. Aebersold Family Dentistry v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

CASES SUBMITTED

CR-15-537. Julius J. Thomas v. State of Arkansas, from Hempstead County Circuit Court.

CR-15-641. Jimmy Christopher McMullin v. State of Arkansas, from Pope County Circuit Court.

CR-15-673. Matthew Aaron Burr v. State of Arkansas, from Benton County Circuit Court.

CR-15-715. Steven Lynn Pascuzzi v. State of Arkansas, from Garland County Circuit Court.

CV-15-350. Thomas Ural Fallin III v. Kathy Leanne Fallin, from Columbia County Circuit Court.

CV-15-541. Beth's Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CV-15-564. Heather Weisker, as Administrator of the Estate of Edward Randolph, Deceased v. Harvest Management Sub, LLC, from Benton County Circuit Court.

CV-15-667. David Newkirk v. Lisa Marie Hankins and James Carroll Hankins, from Lonoke County Circuit Court.

CV-15-686. Adam Alexander v. Eastern Tank Services, Inc., from Sebastian County Circuit Court, Fort Smith District.

CV-15-732. Robert Duran v. Southwest Arkansas Electric Cooperative Corporation and Charles Glover, Jr., d/b/a Glover Trenching and Backhoe, from Miller County Circuit Court.

CV-15-892. Aramark and Sedgwick Claims v. Jackie Stone, from the Arkansas Workers' Compensation Commission.

CV-15-893. Jennifer Lea Hosey v. Wal-Mart Associates, Inc., from the Arkansas Workers' Compensation Commission.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 9, 2016

CASES SUBMITTED

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

E-15-751. Shirlena Wright v. Director et al.

E-15-752. Ashley Killion v. Director et al.

E-15-754. Larry Fowlkes v. Director et al.

E-15-755. Patricia Bynum v. Director et al.

E-15-756. Superior Automotive Group v. Director et al.

E-15-757. Becky Kerley v. Director et al.

E-15-758. Diane Lee v. Director et al.

E-15-759. Thomas Kee v. Director et al.

E-15-760. Debra Bornemeier v. Director et al.

E-15-762. James Vaughan v. Director et al.

E-15-763. Sonya Banks v. Director et al.

E-15-764. Peggy Pondexter v. Director et al.