

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 16, 2016

RAYMOND R. ABRAMSON, JUDGE:

[CV-15-716](#). CMS Investment Holdings, LLC v. Estate of Robert M. Wilson, Jr., Deceased, from Pulaski County Circuit Court, Fourteenth Division. Affirmed. Vaught and Brown, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-16-200](#). Randy Harold Morris, Jr. v. State of Arkansas, from Washington County Circuit Court. Reversed and remanded. Harrison and Brown, JJ., agree.

[CV-16-80](#). Ruth Jacobs v. Derek Collison, from Washington County Circuit Court. Appeal dismissed. Harrison and Brown, JJ., agree.

[CV-16-247](#). Barbara Moore and Bruce Moore v. All Saints Anglican Church, from Union County Circuit Court. Dismissed without prejudice. Glover and Whiteaker, JJ., agree.

[CV-16-646](#). Jessica Minor v. Arkansas Department of Human Services and R.M., a Minor Child, from Union County Circuit Court. Affirmed; motion to withdraw granted. Glover and Whiteaker, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-16-317](#). Bobby Lee Robinson v. State of Arkansas, from Washington County Circuit Court. Affirmed. Harrison and Hoofman, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CR-16-272](#). Jimmy Lee Prickett v. State of Arkansas, from Drew County Circuit Court. Affirmed. Virden and Whiteaker, JJ., agree.

[CV-15-470](#). MidFirst Bank, Carolyn Bedford, and Denise Bedford v. Lori Ledbetter Sumpter, from Crittenden County Circuit Court. Affirmed as modified in part, affirmed in part, reversed in part, and remanded in part on direct appeal; affirmed on cross-appeal. Hixson and Hoofman, JJ., agree.

[CV-16-289](#). Cristobal Mancia v. Bruce Jameson Bennett, from Benton County Circuit Court. Appeal dismissed. Virden and Whiteaker, JJ., agree.

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PHILLIP T. WHITEAKER, JUDGE:

[CV-16-264](#). Avery Alexander, Tina Renee Alexander, and Carolyn Vassar v. Curtis Alexander, from Jefferson County Circuit Court. Affirmed in part; reversed in part. Virden and Glover, JJ., agree.

[E-16-146](#). Lobina Construction v. Daryl Bassett, Director, Department of Workforce Services, and Joe Martinez, from the Arkansas Board of Review. Affirmed. Virden and Glover, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-16-274](#). Saad Waqar Salim v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Gladwin, C.J., and Kinard, J., agree.

[CV-16-683](#). Guy Marie Trotty v. Arkansas Department of Human Services and Minor Children, from St. Francis County Circuit Court. Affirmed. Gladwin, C.J., and Kinard, J., agree.

WAYMOND M. BROWN, JUDGE:

[CR-16-27](#). Tamara Dawson v. State of Arkansas, from Pulaski County Circuit Court, Ninth Division. Affirmed. Virden and Harrison, JJ., agree.

[CV-16-528](#). William Kennan v. Cawood Trucking, Inc., and Amerisafe Risk Services, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Virden and Harrison, JJ., agree.

[CV-16-561](#). Edward Howerton v. Arkansas Department of Human Services and Minor Child, from Greene County Circuit Court. Reversed. Whiteaker, Hixson, and Hoofman, JJ., agree. Gruber and Vaught, JJ., dissent.

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-16-318. Jimmy Lollis v. Director et al.

E-16-319. Linda Stephens v. Director et al.

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E-16-320. Cynthia Wallace v. Director et al.

E-16-321. Randy Clark v. Director et al.

E-16-322. Kennetta Miller v. Director et al.

E-16-323. Linda Farmer v. Director et al.

E-16-324. Jimmy Strange v. Director et al.

E-16-325. Kesha Liles v. Director et al.

E-16-326. Ronnie Keen v. Director et al.

E-16-327. Toby Parker v. Director et al.

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PER CURIAM ORDERS

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

E-16-35. Families, Inc. v. Director, Department of Workforce Services, Employer Contribution Unit, from the Arkansas Board of Review.

CR-15-707. Ellis Brisher v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,800.00.

CR-16-84. Jerrod Tristan Baker 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 \$1,470.00.

CR-16-266. Rashune Raglon v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to remand to settle record, alternatively for a writ of certiorari, and to suspend briefing time. Remanded to the circuit court to settle the record in thirty days (December 16, 2016).

CR-16-329. James Bynum v. State of Arkansas, from Scott 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 is moot.

CR-16-329. James Bynum v. State of Arkansas, from Scott County Circuit Court. Appellant's motion withdrawing petition for writ of certiorari to complete the record, or, in the alternative, motion to remand to settle the record is granted.

CR-16-368. Erik Omar Garcia v. State of Arkansas, from Hempstead County Circuit Court. Appellant's petition for writ of certiorari to complete the record or in the alternative motion for extension of time. Remanded to the circuit court to settle the record in thirty days (December 16, 2016).

CR-16-380. Jeffery Duane Procella v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for attorney's fees and costs is granted. Allowed \$1,800.00.

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CR-16-855. Brian Dawayne Austin v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to supplement the record is granted.

CR-16-856. Oliver W. Hart III v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to supplement the record is granted.

CV-16-330. James Branch v. Stephanie Branch, from Saline County Circuit Court. Appellee's motion for substitution of counsel is granted.

CV-16-733. Terry Wyatt v. Joyce Lorene Wyatt, from Faulkner County Circuit Court. Appellant's motion for expedited consideration is denied. Harrison, J., would grant.

CV-16-835. Wal-Mart Associates, Inc., and Claims Management, Inc. v. Patricia Armstrong, from the Arkansas Workers' Compensation Commission. Appellants' motion to supplement record and stay briefing schedule is granted. Abramson and Gruber, JJ., not participating.

CV-16-915. Pulaski County Special School District v. Janice Lewis, from Pulaski County Circuit Court, Sixth Division. Appellant's motion to consolidate appeals is granted. Brown, J., would deny.

CV-16-916. Pulaski County Special School District v. Pam Fitzgiven, from Pulaski County Circuit Court, Sixth Division. Appellant's motion to consolidate appeals is granted. Brown, J., would deny.

E-16-445. Monique Guillory v. Director et al., from the Arkansas Board of Review. Pro se motion to add additional evidence is denied.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-16-276. J.M.E. and A.K.E. (Minor Children) v. Valley View Agri Systems, Inc.; Guarantee Insurance Co.; and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CR-15-455. LaShawn Heath v. State of Arkansas, from Crittenden County Circuit Court. Motion of Tyler Ginn for attorney's fees.

CR-16-329. James N. Bynum v. State of Arkansas, from Scott County Circuit Court. Appellant's pro se motion for reconsideration of motion to substitute counsel.

CV-15-250. Joanne Amy Doughty v. Richard William Douglas, from Garland County Circuit Court. Appellant's motion for extension of time.

CV-16-389. USA Trucks, Inc., and Broadspire Services, Inc. v. James Jarrell, from the Arkansas Workers' Compensation Commission. Appellee's motion for attorney's fees.

CV-16-674. Jon Christopher Bean and Jennifer Bean v. Arkansas Department of Human Services and Minor Children, from Benton County Circuit Court. Appellees' joint motion to stay briefing schedule, for extension of time to file brief, and for enlargement of page limits.

CV-16-679. Clara C. Gaither v. Arkansas Foundation for Medical Care and Sedgwick Claims Management Services, Inc., from the Arkansas Workers' Compensation Commission. Appellant's pro se motion to reconsider appointment of counsel.

CV-16-739. Farm Credit Midsouth, PCA v. Fred N. Bollinger, Jr.; Bollinger Lone Oak, Inc.; and Bollinger Partners, Inc., from Crittenden County Circuit Court. Appellant's unopposed motion to expand briefing page limit.

CV-16-868. Public Employee Claims Division v. Gary Clark, from Carroll County Circuit Court, Eastern District. Appellant's motion to correct the record.

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MOTIONS SUBMITTED

CV-16-903. Connie Watkins and Richard Watkins v. Arkansas Department of Agriculture, Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, Arkansas Division of Land Surveys, Everett Rowland, Brandon Robinson, Steve Haralson, James Atchley, Ronald Hawkins, H. James Engstrom, Nora Moses, Robert Holloway, Bradley P. Hancock, and Bradley P. Hancock Surveying & Mapping, from Pulaski County Circuit Court, Sixth Division. Appellants' pro se motion to supplement the record.

CV-16-946. Sherry Miesner v. Estate of Joyce Priest Allred, Deceased; Relyance Bank; Belinda Allred; and Janice Herring, from Cleveland County Circuit Court. Appellant's motion to stay appeal.

CV-16-946. Sherry Miesner v. Estate of Joyce Priest Allred, Deceased; Relyance Bank; Belinda Allred; and Janice Herring, from Cleveland County Circuit Court. Appellant's amended motion to stay appeal.

E-16-470. Elizabeth Cheek v. Director et al., from the Arkansas Board of Review. Pro se motion to retract petition for review.

E-16-489. Carolyn Willis v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

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CASES SUBMITTED

CV-16-21. Susannah Baxter v. John Wing, from Benton County Circuit Court.

CV-16-40. Kristopher Almeida v. Metal Studs, Inc. d/b/a Drywall Crews, Inc., from Benton County Circuit Court.

CV-16-120. Pamela Reagan v. Dennis Dodson, Julie Dodson, and Minor Children, from Howard County Circuit Court.

CV-16-191. James Jez v. Angel Jez, from Pulaski County Circuit Court, Third Division.

CV-16-290. Reuben Barnes and Margaret Barnes v. William F. Webb, M.D., and Ozarks Community Hospital of Gravette Clinic, from Benton County Circuit Court.

CV-16-462. Kathy's Bail Bonds, Inc. v. State of Arkansas, from Saline County Circuit Court.

CV-16-466. Emin Bajrektarevic v. Tri-State Truck Center, Inc.; Mack Volvo Truck Parts; and J&O Diesel, from Pulaski County Circuit Court, Sixth Division.

CV-16-479. Samuel Rosse III v. City of Jonesboro, from Craighead County Circuit Court, Western District.

CV-16-482. Carey Young and Brittney Young v. Larry Welch and Jane Welch, from Pulaski County Circuit Court, Sixth Division.

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

E-16-338. Robie Guest v. Director et al.

E-16-339. Shirley Thornton v. Director et al.

E-16-340. Derek Hatley v. Director et al.

E-16-341. Matthews, Inc. v. Director et al.

E-16-342. Eddie Parker v. Director et al.

E-16-343. Connie Ewing v. Director et al.

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CASES SUBMITTED

E-16-344. Bill Ashlock v. Director et al.

E-16-345. Percy Hamilton v. Director et al.

E-16-346. Jessica Childs v. Director et al.

E-16-347. James Garner v. Director et al.