

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF DECEMBER 14, 2016

ROBERT J. GLADWIN, CHIEF JUDGE:

[CV-16-78](#). Gary Howard, Individually, and as Administrator of the Estate of Odis Howard, Deceased v. Lauren Adams, Don Brady, Todd Mazzanti, and Brady & Jackson, PLLC, from Benton County Circuit Court. Affirmed. Harrison and Vaught, JJ., agree.

[CV-16-120](#). Pamela Dawn Reagan v. Julie Dodson and Dennis Dodson, from Howard County Circuit Court. Affirmed. Kinard and Hixson, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-16-331](#). Chachawal Chawangkul v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Affirmed. Hixson, J., agrees. Gruber, J., concurs.

BRANDON J. HARRISON, JUDGE:

[CR-16-428](#). Teaira Williams v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Gladwin, C.J., and Vaught, J., agree.

[CV-16-40](#). Kristopher Almeida v. Metal Studs, Inc. D/B/A Drywall Crews, Inc., from Benton County Circuit Court. Dismissed without prejudice. Gruber and Hoofman, JJ., agree.

[CV-16-48](#). Judith L. Arnold v. Jerry K. Ashworth, from Newton County Circuit Court. Appeal dismissed with prejudice. Gladwin, C.J., and Vaught, J., agree.

[CV-16-608](#). A.E.R.T., Inc., and National Union Fire Insurance v. Maria Estrada, from the Arkansas Workers' Compensation Commission. Affirmed on direct appeal; affirmed on cross-appeal. Gladwin, C.J., and Vaught, J., agree.

RITA W. GRUBER, JUDGE:

[CR-16-241](#). Jimmy Dewayne May v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Virden and Hixson, JJ., agree.

[CV-15-743](#). Courtyard Gardens Health and Rehabilitation, LLC, et al. v. Annette Williamson, as Personal Representative of the Estate of Jerline Kennel, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Jerline Kennel, from Clark County Circuit Court. Affirmed. Glover, Whiteaker, Vaught, and Hoofman, JJ., agree. Harrison, J., dissenting in part; concurring in part.

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RITA W. GRUBER, JUDGE: (Continued)

[CV-15-746](#). Courtyard Gardens Health and Rehabilitation, LLC, et al. v. Ericka Ann Davis, as Special Administrator of the Estate of Julius Marks, Deceased, from Clark County Circuit Court. Reversed and remanded. Harrison and Hoofman, JJ., agree.

[CV-15-1019](#). Helen Williams, Allen Primm, and Barbara Primm v. Double S Ranch, LLC, from Bradley County Circuit Court. Affirmed. Virden and Hixson, JJ., agree.

[CV-16-517](#). The Madison Companies, LLC, and Horsepower Entertainment, LLC v. Grant Williams, from Pulaski County Circuit Court, Twelfth Division. Affirmed. Virden and Hixson, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-16-267](#). Jerry D. Duvall, Wanda Duvall, R.D. Williams & Company, and XTO Energy Inc. v. Vicki E. Carr-Pool, as Trustee of the TRV Irrevocable Trust, from Conway County Circuit Court. Affirmed. Whiteaker and Brown, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-16-640](#). Sterling Armour v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Glover and Brown, JJ., agree.

[CV-16-330](#). James Branch v. Stephanie Branch, from Saline County Circuit Court. Affirmed in part; reversed and remanded in part. Glover and Brown, JJ., agree.

[CV-16-482](#). Brittney G. Young and Carey Young v. Jane Welch and Larry Welch, from Pulaski County Circuit Court, Sixth Division. Affirmed. Virden and Glover, JJ., agree.

[CV-16-726](#). Jason Jones and Amanda Self v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eleventh Division. Affirmed. Glover and Brown, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-16-386](#). William Lamar Brown v. State of Arkansas, from Jefferson County Circuit Court. Reversed and remanded. Gladwin, C.J., and Harrison, J., agree.

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KENNETH S. HIXSON, JUDGE:

[CV-16-742](#). Latisha Bane and Joseph Bane v. Arkansas Department of Human Services and Minor Children, from Conway County Circuit Court. Affirmed; motion to withdraw granted. Virden and Gruber, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-16-750](#). Erica Barnes and Tyshon Hall v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eleventh Division. Affirmed. Glover and Whiteaker, 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-16-348. Billy Tucker v. Director et al.

E-16-349. Wade Carrell v. Director et al.

E-16-350. Terri Massanet v. Director et al.

E-16-351. Jerry Gaston v. Director et al.

E-16-352. Carrie Hillard v. Director et al.

E-16-353. Julieann Spitzer v. Director et al.

E-16-354. Simon Norwood v. Director et al.

E-16-355. Mark Smith v. Director et al.

E-16-356. Andrea Prunty v. Director et al.

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PER CURIAM ORDERS

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

[CV-16-70](#). Stephanie Sikora v. Shalon Bogard and Paulette Everett, from Pulaski County Circuit Court, Sixth Division. See **substituted opinion** issued this date.

CR-16-218. Shaun C. Allen v. State of Arkansas, from Faulkner County Circuit Court. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,800.00.

CR-16-709. Dustin L. Merchant v. State of Arkansas, from Howard County Circuit Court. Appellant's motion to supplement abstract is granted.

CR-16-812. Christopher Reynolds v. State of Arkansas, from Clark County Circuit Court. Appellant's motion to supplement the record is granted.

CR-16-820. Lorenzo Harrison v. State of Arkansas, from St. Francis County Circuit Court. Appellant's petition for writ of certiorari to supplement and settle the record and petition for writ of certiorari and emergency relief directing the clerk of the Arkansas Supreme Court to file the supplemental record and motion to hold briefing scheduling in abeyance until the supplemental record is filed and motion for extension of time to file appellant's brief. Record deemed supplemented.

CR-16-1039. Trenton Jefferson v. State of Arkansas, from Faulkner County Circuit Court. Motion of Michael K. Kaiser to appear on behalf of the appellant is granted.

CV-16-168. Virginia Medeiros v. Julio C. Medeiros, from Marion County Circuit Court. Appellant's motion for extension of time to supplement the record is granted. Gruber, J., not participating.

CV-16-210. William E. Vice v. Dee Anna Vice, from Washington County Circuit Court. Appellee's motion for attorney's fees is denied.

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PER CURIAM ORDERS

CV-16-396. Thomas Kelso v. US Bank, from Cleburne County Circuit Court. Appellant's combined motion to remand to correct the record or alternative petition for writ of certiorari to complete the record, and motion to extend time or stay briefing schedule. Motion to remand to correct the record or alternative petition for writ of certiorari to complete the record is denied. Appellant's brief is due in twenty days (January 3, 2017).

CV-16-629. Joanne Amy Doughty v. Ralph Ferrara, from Garland County Circuit Court. Appellant's pro se motion to extend time and for reconsideration is denied.

CV-16-629. Joanne Amy Doughty v. Ralph Ferrara, from Garland County Circuit Court. Appellant's pro se petition to proceed in forma pauperis is denied.

CV-16-642. Albert Evans, Jr. v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for extension of time to file brief is denied.

CV-16-999. Ashley Evans v. Arkansas Department of Human Services and Minor Child, from Ouachita County Circuit Court. Appellant's motion to correct the record and stay briefing schedule is granted.

The following cases were dismissed for failure to file briefs in accordance with Supreme Court Rule 4-5.

CV-16-314. Thomas Mitchum v. Donna Mitchum, from Independence County Circuit Court.

CV-16-536. Jessie J. Johnson v. Theodore R. Johnson et al., from Monroe County Circuit Court. Abramson, J., not participating.

CV-16-571. Christine Cole v. Brendon Cole, from Faulkner County Circuit Court.

CV-16-642. Albert Evans, Jr. v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-16-289. Cristobal Mancia v. Bruce Jameson Bennett, from Benton County Circuit Court.

CV-16-710. Timothy Stanley and Jennifer Long v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

CR-16-31. Tabarick Simington v. State of Arkansas, from Sharp County Circuit Court. Motion of R.T. Starcken for attorney's fees.

CR-16-338. William Earl Gordon v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees and expenses.

CR-16-693. Matthew Tackett v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion requesting permission to file a belated initial brief.

CR-16-811. Joshua John Johnson v. State of Arkansas, from Logan County Circuit Court, Northern District. Appellant's motion to stay briefing schedule and to supplement the record.

CV-16-191. James Jez v. Angel Jez, from Pulaski County Circuit Court, Third Division. Appellee's motion for attorney's fees and costs.

CV-16-206. Joanne Bernadette Black, Charles Aaron Black, Clay Black, Travis Stephen Black, and Yancey Reynolds v. Jack Norwood Duffie, Jr., as Guardian of the Estate of Ellen Annabelle Duffie, from Hempstead County Circuit Court. Appellee's motion for attorney's fees and costs.

CV-16-479. Samuel Rosse III v. City of Jonesboro, from Craighead County Circuit Court, Western District. Appellant's motion for costs.

CV-16-535. Debbie Jean Brown v. United Parcel Service, from Pulaski County Circuit Court, Sixth Division. Appellant's motion for leave to file supplemental record and supplemental addendum.

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MOTIONS SUBMITTED

CV-16-661. Robert Jeffrey Parnell v. Victoria Lee Mattingly, from Garland County Circuit Court. Appellant's pro se motion for non-conforming brief.

CV-16-915. Pulaski County Special School District v. Janice Lewis and Pam Fitzgiven, from Pulaski County Circuit Court, Sixth Division. Motion for leave to file brief of amicus curiae in support of appellant.

CV-16-1027. Rebecca Ladd v. Arkansas Department of Human Services and Minor Child, from Cleburne County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CV-16-1033. Carolyn Thomas, Individually, and as Administratrix of the Estate of Alfred Thomas, Sr., Deceased v. Dr. Carol Crittenden Meadors, M.D., Individually; Little Rock Anesthesia Services, PLLC; Dr. Frederick A. Meadors, M.D., Individually; and Cardiovascular Surgeons, P.A., from Pulaski County Circuit Court, Sixth Division. Motion to dismiss appeal against separate appellee Dr. Frederick A. Meadors, M.D.

E-16-314. Meredith Lamkin v. Director et al., from the Arkansas Board of Review. Appellant's motion for extension of time.

E-16-314. Meredith Lamkin v. Director et al., from the Arkansas Board of Review. Motion of Howard J. Goode to withdraw as attorney for the appellant.

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CASES SUBMITTED

CR-16-13. Michael Oliver v. State of Arkansas, from Crawford County Circuit Court.

CR-16-69. Triva Coble v. State of Arkansas, from Garland County Circuit Court.

CR-16-95. Markel Taivon Eubanks v. State of Arkansas, from Washington County Circuit Court.

CR-16-108. James Lee McPherson v. State of Arkansas, from Faulkner County Circuit Court.

CR-16-224. Eric Paul Lenderman v. State of Arkansas, from Greene County Circuit Court.

CR-16-315. Herbert Parmer, Jr. v. State of Arkansas, from Hempstead County Circuit Court.

CR-16-320. Javian N. Young v. State of Arkansas, from Jefferson County Circuit Court.

CR-16-364. Bobby Joe Gill v. State of Arkansas, from Faulkner County Circuit Court.

CR-16-372. Robert Thomas Dark v. State of Arkansas, from Garland County Circuit Court.

CR-16-476. Jackie Renay Matthews v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-16-477. Jackie Renay Matthews v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-16-489. Derrick Glenn Estell v. State of Arkansas, from Garland County Circuit Court.

CR-16-529. Mark Jeffery Livingston v. State of Arkansas, from Ouachita County Circuit Court.

CR-16-614. Tanner Baxley v. State of Arkansas, from Hot Spring County Circuit Court.

CR-16-619. Aaris Djuan Jefferson v. State of Arkansas, from Garland County Circuit Court.

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CASES SUBMITTED

CR-16-644. DeAngelo Darnell Bates v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CV-16-760. Ike Ritter v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

CV-16-761. Richard Shawkey v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

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

E-16-366. Joann Whitaker v. Director et al.

E-16-367. Jason Lewis v. Director et al.

E-16-368. Laura Bean v. Director et al.

E-16-369. Michael Wilson v. Director et al.

E-16-370. Jerry Waters v. Director et al.

E-16-371. Janice West v. Director et al.

E-16-372. Mark Whitesell v. Director et al.

E-16-373. Wayne Bryant v. Director et al.

E-16-374. Karan Topiwala v. Director et al.

E-16-375. Sonia Elliott v. Director et al.

E-16-376. Laquita Howell v. Director et al.

E-16-377. April Davis v. Director et al.

E-16-378. Keith Flanigan v. Director et al.

E-16-380. Lawanda Murphy v. Director et al.

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CASES SUBMITTED

E-16-381. Lynn Lee v. Director et al.

E-16-382. Katherine Huie v. Director et al.

E-16-383. Rickey Harper v. Director et al.

E-16-384. Flossie Marie Moore v. Director et al.