

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF MARCH 29, 2017**

RAYMOND R. ABRAMSON, JUDGE:

[CR-16-715](#). Barry Andruszczak v. State of Arkansas, from Little River County Circuit Court. Affirmed. Klappenbach and Vaught, JJ., agree.

[CV-16-845](#). Kim Hall v. Prescott School District, from Nevada County Circuit Court. Reversed and remanded. Klappenbach and Vaught, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-15-380](#). Derek Scott Hagar, Administrator of the Estate of Darren Scott Hagar, Deceased, and on Behalf of the Wrongful-Death Beneficiaries of Darren Scott Hagar v. Robert T. Shull, M.D., from Crittenden County Circuit Court. Affirmed. Harrison and Murphy, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CV-16-32](#). Jason Harris v. Norman Beth, from Saline County Circuit Court. Affirmed. Gladwin and Murphy, JJ., agree.

[CV-16-676](#). Deran Ford, as Administrator of the Estate of Herman P. Ford, Deceased, and as Next Friend on Behalf of Indyia Ford, a Minor v. Natasha Milojkovic, M.D.; Matthew Steliga, M.D.; Thaddeus Bartter, M.D.; Teka Bartter, A.P.N.; and Kyle Kalkwarf, M.D., from Pulaski County Circuit Court, Sixth Division. Dismissed without prejudice. Gladwin and Murphy, JJ., agree.

[CV-16-784](#). Timothy Smith v. Michelle Murphy, from Saline County Circuit Court. Affirmed. Gladwin and Murphy, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-16-889](#). Linda Nell Webb v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Abramson and Vaught, JJ., agree.

[CV-16-1095](#). Gregory Etkorn v. Arkansas Department of Human Services and Minor Children, from Logan County Circuit Court, Northern District. Affirmed; motion to withdraw granted. Abramson and Vaught, JJ., agree.

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DAVID M. GLOVER, JUDGE:

[CR-16-533](#). Keenan Lewis v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Rebriefing ordered. Hixson and Brown, JJ., agree.

[CV-16-864](#). Bobby H. Weatherford, Rebecca S. Downing, and Terry K. Weatherford v. Arkansas Reclamation Company, LLC; The Kenneth H. Sanson Revocable Trust; and The Peggy J. Sanson Revocable Trust, from White County Circuit Court. Appeal dismissed. Hixson and Brown, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-16-862](#). Frederick S. “Rick” Spencer v. Air Evac EMS, Inc. a/k/a Air Evac Lifeteam, from Baxter County Circuit Court. Affirmed. Gruber, C.J., and Virden, J., agree.

[CV-16-1077](#). Angela Greenhill v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gruber, C.J., and Virden, J., agree.

LARRY D. VAUGHT, JUDGE:

[CR-16-950](#). Keith D. Shelton v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Abramson and Klappenbach, JJ., agree.

[CV-16-189](#). June Bradshaw v. Fort Smith School District and Fort Smith Public Schools Board of Education, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Abramson and Klappenbach, JJ., agree.

MIKE MURPHY, JUDGE:

[CV-16-227](#). Agility Financial Credit Union v. Gayla Largent and Western Arkansas Title Services, LLC, from Sebastian County Circuit Court, Fort Smith District. Dismissed without prejudice. Gladwin and Harrison, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-16-620](#). Dameion Williams v. State of Arkansas, from Pope County Circuit Court. Affirmed. Glover and Hixson, JJ., agree.

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WAYMOND M. BROWN, JUDGE: (Continued)

[CV-16-730](#). Rose Marie Jones v. Target Corporation and Sedgwick Claims Management, from the Arkansas Workers' Compensation Commission. Affirmed. Harrison and Hixson, JJ., agree.

[CV-16-897](#). Nathan Cooper v. Shannon Kalkwarf (Cooper), from Pulaski County Circuit Court, Fourteenth Division. Reversed. Glover and Hixson, JJ., agree.

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**PER CURIAM ORDERS**

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

CV-16-319. Veda Ann Struble v. Blytheville School District, from Mississippi County Circuit Court, Chickasawba District.

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CR-15-827. Christopher Brewer v. State of Arkansas, from Lincoln County Circuit Court. Motion of Gary W. Potts for costs and attorney's fees is granted. Allowed \$1,600.00.

CR-16-723. Aaron Lovelace v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for costs and attorney's fees is granted. Allowed \$1,800.00.

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 motion to hold briefing schedule in abeyance until the supplemental record is filed and motion for extension of time to file brief is granted.

CR-16-843. Michael Anthony Williams v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellee's motion to dismiss is granted.

CR-16-844. Michael Anthony Williams v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellee's motion to dismiss is granted.

CR-16-1073. K.B. v. State of Arkansas, from Garland County Circuit Court. Appellant's motion for permission to file single-spaced abstract is denied.

CR-16-1092. Dorian Lacy v. State of Arkansas, from Clark County Circuit Court. Appellant's motion to supplement the record is granted.

CR-17-75. Jerrick London v. State of Arkansas, from Arkansas County Circuit Court, Southern District. Appellant's pro se motion for appointment of counsel is moot.

CR-17-76. Sammy W. Dortch, Jr. v. State of Arkansas, from Independence County Circuit Court. Motion of Jeremy B. Lowrey to enter appearance as co-counsel for appellant is granted.

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**PER CURIAM ORDERS**

CR-17-85. Ronald Anthony Antonello v. State of Arkansas, from Miller County Circuit Court. Amended motion of Caroline Whitefield and Garnet Norwood to relieve counsel on appeal and to appoint counsel to prosecute appeal is granted.

CR-17-102. Jimmy Chris McMullin v. State of Arkansas, from Pope County Circuit Court. Appellant's pro se motion for extension of time to file brief is granted.

CV-15-1012. Philip Roberts v. Ed Dell Wortz, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for extension of time to file substituted reply brief is moot.

CV-15-1012. Philip Roberts v. Ed Dell Wortz, from Sebastian County Circuit Court, Fort Smith District. Appellant's second motion for extension of time to file substituted reply brief is granted.

CV-16-70. Stephanie Sikora v. Shalon Bogard and Paulette Everett, from Pulaski County Circuit Court, Sixth Division. Appellees' motion for allowance of attorney's fees is denied. Gruber, C.J., not participating.

CV-16-436. Cynthia Butler Farrell v. Hanford Francis Farrell, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for attorney's fees is denied.

CV-16-661. Robert Jeffrey Parnell v. Victoria Lee Mattingly, from Garland County Circuit Court. Appellant's pro se motion for reconsideration of appellate court's order of dismissal of the appellant's appeal is denied.

CV-16-802. City of Tontitown, Arkansas v. First Security Bank; City of Springdale, Arkansas; and Hillcrest Holdings, LLC, from Washington County Circuit Court. Appellant's motion to supplement the record is granted. Gladwin, J., not participating.

CV-17-127. Paul F. Miller v. DIRECTV, Individually, and as a Partner of AT&T; Southwestern Bell Telephone Company d/b/a AT&T and AT&T Arkansas; Randall L. Stephenson; Samuel A. Di Piazza, Jr.; Scott T. Ford; Joyce M. Rockne; Matthew K. Rose; Laura D. Tyson; and Eric Fielder, as or in the Office of the President, David C. Nichols, from Garland County Circuit Court. Appellant's pro se motion for stay is moot.

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**PER CURIAM ORDERS**

CV-17-127. Paul F. Miller v. DIRECTV, Individually, and as a Partner of AT&T; Southwestern Bell Telephone Company d/b/a AT&T and AT&T Arkansas; Randall L. Stephenson; Samuel A. Di Piazza, Jr.; Scott T. Ford; Joyce M. Rockne; Matthew K. Rose; Laura D. Tyson; and Eric Fielder, as or in the Office of the President, David C. Nichols, from Garland County Circuit Court. Appellant's pro se motion to consolidate is moot.

CV-17-127. Paul F. Miller v. DIRECTV, Individually, and as a Partner of AT&T; Southwestern Bell Telephone Company d/b/a AT&T and AT&T Arkansas; Randall L. Stephenson; Samuel A. Di Piazza, Jr.; Scott T. Ford; Joyce M. Rockne; Matthew K. Rose; Laura D. Tyson; and Eric Fielder, as or in the Office of the President, David C. Nichols, from Garland County Circuit Court. Appellees' motion to dismiss appeal is granted.

CV-17-127. Paul F. Miller v. DIRECTV, Individually, and as a Partner of AT&T; Southwestern Bell Telephone Company d/b/a AT&T and AT&T Arkansas; Randall L. Stephenson; Samuel A. Di Piazza, Jr.; Scott T. Ford; Joyce M. Rockne; Matthew K. Rose; Laura D. Tyson; and Eric Fielder, as or in the Office of the President, David C. Nichols, from Garland County Circuit Court. Appellant's pro se joinder in motion to dismiss is granted.

CV-17-151. Stacy Rider and Pam Rider v. Longbow Ranch, LLC; Ben Pearson; and Paulette Pearson, from Stone County Circuit Court. Appellants' unopposed motion to waive addendum obligation is granted. Harrison, J., not participating.

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**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CR-16-762. George Wesley Bates, Jr. v. State of Arkansas, from Poinsett County Circuit Court.

CV-15-1068. Kenneth W. Tilley, Individually, and as Trustee of the Kenneth Tilley Family Trust v. Malvern National Bank and Stephen Moore, from Garland County Circuit Court.

CV-16-743. Nucor Yamato Steel Company and Sedgwick Claims Management Service v. Lawrence L. Kennedy, from the Arkansas Workers' Compensation Commission.

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CR-15-827. Christopher Brewer v. State of Arkansas, from Lincoln County Circuit Court. Appellant's pro se motion for injunction.

CR-16-108. James Lee McPherson v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to check out transcript and extension of time to file points for reversal.

CR-16-218. Shaun Allen v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for rule on clerk to file petition for rehearing.

CR-16-384. Lazaro Veneros-Figueroa v. State of Arkansas, from Sevier County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses.

CR-16-964. James Edward Whitney v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for reconsideration.

CR-16-964. James Edward Whitney v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for default judgment.

CR-17-14. Steven Wayne Wheeler v. State of Arkansas, from Saline County Circuit Court. Appellant's motion for remand to settle the record and stay briefing schedule.

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**MOTIONS SUBMITTED**

CR-17-15. Steven Wayne Wheeler v. State of Arkansas, from Saline County Circuit Court. Appellant's motion for remand to settle the record and stay briefing schedule.

CR-17-106. Tyrome Harris, Sr. v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se petition for writ of mandamus.

CR-17-106. Tyrome Harris, Sr. v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for extension of time to file brief and petition for writ of certiorari to complete the record.

CR-17-185. David Hanley v. State of Arkansas, from Jefferson County Circuit Court. Motion of Robert E. Tellez to withdraw as counsel.

CR-17-186. Lucan Dhru Worsham v. State of Arkansas, from Faulkner County Circuit Court. Motion of Lynn F. Plemmons to be relieved.

CV-12-862. Mary Weatherspoon v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Pro se motion by Mary Weatherspoon requesting copies of motions, briefing, and all records to case.

CV-15-250. Joanne Amy Doughty v. Richard William Douglas, from Garland County Circuit Court. Appellant's motion to set aside order from February 28, 2017, to dismiss cross-appeal, deny cross-appellant's motion for extension of time, and/or accept appellant's appeal brief tendered on December 16, 2016.

CV-15-523. Connie Watkins and Richard Watkins v. Paragould Light and Water Commission and City of Paragould, from Greene County Circuit Court. Appellants' pro se motion to reconsider a stay of mandate.

CV-16-549. William B. Cherry v. Rhonda Marlene Cherry (now Fulkroad), from Columbia County Circuit Court. Appellant/cross-appellee's motion to dismiss cross-appeal without prejudice and amend order dismissing direct appeal to provide that such dismissal is also without prejudice, or in the alternative, to dismiss cross-appeal with prejudice, or in the second alternative, to reinstate direct appeal, and motion to stay briefing schedule or extend brief time.

CV-16-616. Terry Lee Haney v. Comfort Inn and Continental Western Insurance Co., from the Arkansas Workers' Compensation Commission. Motion of Gene E. McKissic to withdraw as attorney of record.

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**MOTIONS SUBMITTED**

CV-16-917. Tami Thomas Darr, as Executrix of the Estate of Stephen Michael Herman, Deceased v. Francis Jean Billeaudeau, from Pulaski County Circuit Court, Fifteenth Division. Joint motion for filing of supplemental addendum.

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; and Cardiovascular Surgeons, P.A., from Pulaski County Circuit Court, Sixth Division. Appellees' joint motion to supplement record and stay briefing schedule.

CV-17-38. Harold L. Foxx v. Bill's Superfoods, Inc., and Union Standard Insurance Company, from the Arkansas Workers' Compensation Commission. Appellant's motion to remand case to the Arkansas Workers' Compensation Commission to supplement record.

CV-17-69. Long Valley Timber, LLC, and AmTrust North America v. Shannon Campbell, from the Arkansas Workers' Compensation Commission. Appellants' motion to remand.

CV-17-197. Farm Credit Midsouth, PCA v. Fred N. Bollinger, Jr.; Bollinger Lone Oak, Inc.; and Bollinger Partners, Inc., from Crittenden County Circuit Court. Appellant's motion to stay.

CV-17-204. Regina Wilson v. State of Arkansas and Arkansas Governor's Developmental Disabilities Counsel, from Pulaski County Circuit Court, Fifth Division. Appellant's motion to stay.

CV-17-207. David Box v. J.B. Hunt Transport, Inc., from Benton County Circuit Court. Appellant's motion to expedite and accelerate appeal and briefing schedule.

E-17-9. Karen Hargroves v. Director et al., from the Arkansas Board of Review. Pro se motion to add additional evidence.

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**CASES SUBMITTED**

CV-16-660. Patrick Malloy and John Callaghan v. Bruce Smith and Jan Smith, from Cleburne County Circuit Court. Orally argued.

CR-16-438. Geneva Maria Lynette Bates v. State of Arkansas, from Johnson County Circuit Court.

CR-16-485. N.L. v. State of Arkansas, from Crawford County Circuit Court.

CV-15-974. Simon Pockrus v. Victoria Morris, from Benton County Circuit Court.

CV-16-621. Ulysses Hurd v. Bob Hurt and Sue Hurt, from Crittenden County Circuit Court.

CV-16-818. Daniel A. Montez, Jr. v. Consuela Anna Montez (now Trujillo), from Washington County Circuit Court.

CV-16-868. Public Employee Claims Division v. Gary Clark and North Arkansas Livestock Auction, Inc., from Carroll County Circuit Court, Eastern District.

CV-16-933. Milton Shannon v. Milton Steinberg and Samuel Maclin, from Pulaski County Circuit Court, Sixth Division.

CV-16-984. Brenda Higgins v. Bob Thornton and Arkansas Children's Hospital, from Lonoke County Circuit Court.

CV-16-996. Producers Rice Mill, Inc. v. Rice Hull Specialty Products, Inc., from Arkansas County Circuit Court, Northern District.

CV-16-1119. Earnest Adkins v. Arkansas Department of Human Services and Minor Children, from Marion County Circuit Court.

CV-16-1129. Dakota Joshua Caruthers v. Arkansas Department of Human Services and Minor Child, from Greene County Circuit Court.

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

E-16-534. Neil Gray v. Director et al.

E-16-535. Sharon Holleman v. Director et al.

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**CASES SUBMITTED**

- E-16-536. Tim Huff v. Director et al.
- E-16-537. Stanley Crosslin v. Director et al.
- E-16-538. Sara Davis v. Director et al.
- E-16-539. Wilburn Goss, Jr. v. Director et al.
- E-16-540. Bridget Pendergrass v. Director et al.
- E-16-541. Nakia Woods v. Director et al.
- E-16-542. Twila White v. Director et al.
- E-16-543. James Chaich, Jr. v. Director et al.
- E-16-544. Phillip Johnson v. Director et al.
- E-16-545. Shaleta Turner v. Director et al.