

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 19, 2017

RITA W. GRUBER, CHIEF JUDGE:

[CV-16-1146](#). Francesca Mercado v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gladwin and Vaught, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-16-813](#). Jerrime Wade Mardis v. State of Arkansas, from Saline County Circuit Court. Affirmed. Harrison and Glover, JJ., agree. OPINION SUBSTITUTED JUNE 21, 2017

ROBERT J. GLADWIN, JUDGE:

[CR-16-713](#). John David Ross v. State of Arkansas, from Garland County Circuit Court. Affirmed; motion denied. Gruber, C.J., and Vaught, J., agree.

BRANDON J. HARRISON, JUDGE:

[CV-16-913](#). Nikona J. Calhoun (Fitzgerald) v. Jeremy Calhoun, from Drew County Circuit Court. Affirmed. Virden and Glover, JJ., agree.

[CV-16-1047](#). George Palmer v. Midwest Fertilizer, Inc., and Nationwide Agribusiness Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Virden and Glover, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-16-1006](#). Marcus Douglas Christopher v. State of Arkansas, from Nevada County Circuit Court. Affirmed. Whiteaker and Brown, JJ., agree.

[CV-16-1112](#). Oscar Romero v. Arkansas Department of Human Services and Minor Child, from Yell County Circuit Court, Northern District. Affirmed. Whiteaker and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-16-598](#). Bill G. Brown, Individually, and as Special Administrator for the Estate of Barbara A. Rowan, Deceased; James L. Brown; and Randy P. Brown v. City of Bryant, Arkansas, from Saline County Circuit Court. Affirmed in part; reversed and remanded in part. Virden and Harrison, JJ., agree.

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LARRY D. VAUGHT, JUDGE:

[CV-16-39](#). R&L Carriers Shared Services, LLC, and Dean Wethington v. Stuart Markley and Madison County Telephone Company, Inc., from Madison County Circuit Court. Affirmed. Gruber, C.J., and Gladwin, J., agree.

KENNETH S. HIXSON, JUDGE:

[CR-16-769](#). Christopher R. Vaughn v. State of Arkansas, from Howard County Circuit Court. Affirmed. Abramson and Murphy, JJ., agree.

MIKE MURPHY, JUDGE:

[CV-16-141](#). Jeffery Parker and Sheila Parker v. Jerry D. Parker and Sarah Jo Parker, in Their Capacities as Co-Trustees of the Parker Family Trust Dated August 14, 2014, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Abramson and Hixson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-16-837](#). Zackery Warren Shadwick v. State of Arkansas, from Johnson County Circuit Court. Affirmed. Klappenbach and Whiteaker, JJ., agree.

[CV-16-922](#). Hongyang “Brian” Li v. Yi Ding, from Washington County Circuit Court. Reversed and remanded. Klappenbach 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-16-546. Gluche Williams v. Director et al.

E-16-547. Willie Ticey v. Director et al.

E-16-548. Anthony Melcher v. Director et al.

E-16-549. Deborah Cagle v. Director et al.

E-16-550. Michael Gomez v. Director et al.

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E-16-551. Amber Mosley v. Director et al.

E-16-552. Hannah Eisenberg v. Director et al.

E-16-553. Matt Hughes v. Director et al.

E-16-554. Kendrick Jackson v. Director et al.

E-16-555. Zykeia Shaw v. Director et al.

E-16-556. Crystal Coakley v. Director et al.

E-16-557. Harold Fuller v. Director et al.

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PER CURIAM ORDERS

PETITIONS FOR REHEARING: Petitions for rehearing were denied today in the following cases.

CR-16-383. Rodric D. Cohns v. State of Arkansas, from Faulkner County Circuit Court.

CV-15-798. National Association for the Advancement of Colored People v. Hubert Bass, Member and Chairman of the Election Supervisory Committee of the Crittenden County Branch of the NAACP, from Crittenden County Circuit Court.

CR-16-812. Christopher Reynolds v. State of Arkansas, from Clark County Circuit Court. Motion of Gregory L. Vardaman to be relieved and have counsel appointed is granted.

CR-16-860. Edward Lamar Cave v. State of Arkansas, from Grant County Circuit Court. Motion of Philip C Wilson for attorney's fees is granted. Allowed \$1,800.00.

CR-16-950. Keith D. Shelton 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-16-980. James Christopher Geeslin v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for permission to file belated brief is granted. Vaught, J., not participating.

CV-16-396. Thomas Kelso v. U.S. Bank, from Cleburne County Circuit Court. Appellee's motion for oral argument is denied.

CV-16-419. Jennifer Poff Talley; Barry Talley; Nathan L. Poff, Jr.; Rose M. Lew; and John Laurence Poff v. Carolyn Peedin et al., from Cleburne County Circuit Court. Appellants' motion for remittance of funds deposited in court registry is granted.

[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. Motion granted; direct appeal dismissal modified to be without prejudice; cross-appeal dismissed without prejudice. See **per curiam** this date.

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CV-16-549. William B. Cherry v. Rhonda Marlene Cherry (now Fulkroad), from Columbia County Circuit Court. Motion for leave to file belated response to motion and request that matter not be decided until cross-appellant files her response is granted.

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. Appellants' pro se responsive objections and motion to strike the [stated] "state appellees' motion for extension of time" is denied.

CV-16-922. Hongyang "Brian" Li v. Yi Ding, from Washington County Circuit Court. Appellee's motion for rule is granted. Appellee's motion for late filing of brief is granted.

CV-17-107. Brooke Ashley Miller and Kerry Coleman v. Jason Edward Moore and Manesseh Blythe Moore, from Crawford County Circuit Court. Motion of appellant Kerry Coleman to supplement record or, in the alternative, for certiorari to complete record is denied.

CV-17-107. Brooke Ashley Miller and Kerry Coleman v. Jason Edward Moore and Manesseh Blythe Moore, from Crawford County Circuit Court. Motion of appellant Brooke Ashley Miller to supplement record or, in the alternative, for certiorari to complete record and motion for extension of time denied.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-16-1077. Angela Greenhill v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

CR-16-175. Wesley Gene Holland v. State of Arkansas, from Cleveland County Circuit Court. Motion of Brian G. Brooks for attorney's fees and costs.

CR-16-298. Willie Wells v. State of Arkansas, from Crittenden County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses.

CR-16-685. Randy Lee Copeland v. State of Arkansas, from Garland County Circuit Court. Motion of Brian G. Brooks for attorney's fees and costs.

CR-16-1154. Tony L. Jefferson, Jr. v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for remand to settle the record and stay briefing schedule.

CV-15-1028. Robert Stewart v. Gary Michaelis, Individually, and d/b/a Racer AG Service, from St. Francis County Circuit Court. Motion of Sam Dickens to modify the mandate.

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. Appellant's motion for reconsideration and to supplement the record and addendum.

CV-16-832. Packers Sanitation Services, Inc., and ACE American Insurance Company v. Cecilia Quintanilla, from the Arkansas Workers' Compensation Commission. Appellee's motion for attorney's fees and costs.

CV-17-214. Miracle Kids Success Academy, Inc. v. Marvin Maurras, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion for approval of supersedeas bond and to stay litigation pending appeal.

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MOTIONS SUBMITTED

CV-17-238. Kent Smith v. Allen Tillery Chevrolet, Inc., and General Motors Corporation, from Garland County Circuit Court. Motion of Tyson K. Spradlin to withdraw as counsel.

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CASES SUBMITTED

CR-16-266. Rashune Leon Raglon v. State of Arkansas, from Jefferson County Circuit Court.

CR-16-568. James Pafford v. State of Arkansas, from Hempstead County Circuit Court.

CR-16-633. Lee Sullivan Ivory v. State of Arkansas, from Independence County Circuit Court.

CR-16-693. Matthew A. Tackett v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-16-717. Curtis Colston v. State of Arkansas, from Miller County Circuit Court.

CV-15-937. Rebecca K. McMahan v. Kenneth Mack Robinson and American Express Centurion Bank, from Pope County Circuit Court.

CV-16-11. Jo Ellen Serio and Stan Serio v. Copeland Holdings, LLC, from Cleburne County Circuit Court.

CV-16-29. Ardith Laray Mossholder v. Daniel Coker, Martha Coker, and Minor Children, from Faulkner County Circuit Court.

CV-16-377. Joe E. Ioup and Pat M. Ioup v. City of Benton, Arkansas, from Saline County Circuit Court.

CV-16-429. Anna J. Belk v. William S. Belk, Jr.; Karen Belk; Ronald L. Belk; Pamela K. Belk; Patty L. Belk Kelley; Delton R. Belk; Johnny M. Belk; Glenda A. Belk; Robert R. Belk; Deborah E. Belk; Melissa R. Belk Boliek; David Boliek; James D. Belk; Lisa E. Belk; and Rhea Belk, from Perry County Circuit Court.

CV-16-488. Debra Mason v. Charles Mason, from Pulaski County Circuit Court, Third Division.

CV-16-909. Lawrence Gary Turner v. Southern Alloy & Metals Corp., Transportation Insurance Company, and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-16-982. City of El Dorado and Arkansas Municipal League v. Rickey Smith, from the Arkansas Workers' Compensation Commission.

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CASES SUBMITTED

CV-17-31. Robin Holloway and Christopher Britt v. Arkansas Department of Human Services and Minor Children, from Greene County Circuit Court.

CV-17-32. Stephany D. Davis and Daniel Brown v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eleventh Division.

CV-17-40. Natasha Furnish v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District.

CV-17-43. Arkansas Department of Human Services v. Ricky Hellyer, April Hellyer, and Minor Child, from Madison County Circuit Court.

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

E-16-571. Sandra Lucas v. Director et al.

E-16-572. Angela Dunn v. Director et al.

E-17-1. Victor Robinson v. Director et al.

E-17-2. Charline Shearins v. Director et al.

E-17-4. Edward Watson v. Director et al.

E-17-5. Vicky Kay Henly v. Director et al.

E-17-6. Aulanda McFarland v. Director et al.

E-17-7. LeQuetcha Thigpen v. Director et al.

E-17-8. Tammy Osburn v. Director et al.

E-17-9. Karen Hargroves v. Director et al.

E-17-11. LaToya Mitchell v. Director et al.

E-17-12. Melanie Birge v. Director et al.