

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 12, 2017

RITA W. GRUBER, CHIEF JUDGE:

[CV-16-996](#). Producers Rice Mill, Inc. v. Rice Hull Specialty Products, Inc., from Arkansas County Circuit Court, Northern District. Reversed and remanded. Virden and Whiteaker, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-16-818](#). Daniel Montez v. Consuela Montez (now Trujillo), from Washington County Circuit Court. Reversed and remanded. Klappenbach and Vaught, JJ., agree.

BART F. VIRDEN, JUDGE:

[CV-16-612](#). Tabitha McCrillis v. Sarah Hicks, from Pulaski County Circuit Court, Third Division. Affirmed in part; reversed in part; remanded in part. Abramson and Gladwin, JJ., agree.

[CV-16-779](#). Jacob Louton v. Audra Dulaney, from Garland County Circuit Court. Affirmed in part; reversed and remanded in part. Gruber, C.J., and Whiteaker, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-16-438](#). Geneva Maria Lynnette Bates v. State of Arkansas, from Johnson County Circuit Court. Affirmed; motion to withdraw granted. Harrison and Murphy, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CV-16-868](#). Public Employee Claims Division v. Gary Clark and North Arkansas Livestock Auction, Inc., from Carroll County Circuit Court, Eastern District. Dismissed without prejudice. Abramson and Vaught, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-16-373](#). Michael R. Morris v. Nickolas Knopick and Marie Hadzima, from Baxter County Circuit Court. Affirmed on direct appeal; affirmed in part and dismissed without prejudice in part on cross-appeal. Abramson, Vaught, and Brown, JJ., agree. Klappenbach and Hixson, JJ., dissent.

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PHILLIP T. WHITEAKER, JUDGE:

[CR-16-485](#). N.L. v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Gruber, C.J., and Virden, J., agree.

LARRY D. VAUGHT, JUDGE:

[CV-16-621](#). Ulysses Hurd v. Bob Hurt and Sue Hurt, from Crittenden County Circuit Court. Reversed and remanded. Abramson and Klappenbach, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-16-1119](#). Ernest Adkins v. Arkansas Department of Human Services and Minor Children, from Marion County Circuit Court. Reversed and remanded. Glover, J., agrees. Brown, J., concurs.

MIKE MURPHY, JUDGE:

[CV-16-1129](#). Dakota Caruthers v. Arkansas Department of Human Services and Minor Child, from Greene County Circuit Court. Affirmed. Gladwin and Harrison, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-16-933](#). Milton Shannon v. Milton Steinberg and Samuel Maclin, from Pulaski County Circuit Court, Sixth Division. Affirmed. Glover and Hixson, 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-16-534. Neil Gray v. Director et al.

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

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.

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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.

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PER CURIAM ORDERS

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

CV-15-918. Chelsea S. Harley v. Wyndham S. Dempster, Sr., from Pulaski County Circuit Court, Fourteenth Division.

CV-16-519. Thomas Ellis Stuart v. Arkansas Department of Finance and Administration, Larry Walther, Director, from Drew County Circuit Court.

CV-16-564. Grant County Unified Community Resource Council, Inc. d/b/a Spirit of Sharing and/or Keeping the Faith v. Mary Pennington, from Grant County Circuit Court.

CV-16-652. Commercial Fitness Concepts, LLC v. WGL, LLC, from Benton County Circuit Court.

CV-16-749. James Hubbard v. Riceland Foods, Liberty Mutual Insurance Company, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

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

CR-16-593. Mark Anthony Mosley v. State of Arkansas, from Washington County Circuit Court. Motion of Margo D. Warner to withdraw and motion to modify time for briefing is denied. Appellant's brief is due in thirty days (May 12, 2017). Vaught, J., would grant.

CR-16-688. Robert Nicholas Jeffries v. State of Arkansas, from Madison County Circuit Court. Motion of Nona M. McVay for attorney's fees is granted. Allowed \$1,800.00.

CV-16-32. Jason Harris v. Norman Beth, from Saline County Circuit Court. Appellant's motion to remand is denied.

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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 certificate of service by Rule 4-2(c)(1), or to accept the Clerk's permitting filing of the brief as non-prejudicial in line with case law is granted.

CV-16-992. Luetta Dawson, Executrix of the Estate of Ray H. Dawson, Deceased v. Ray H. Dawson, Jr., from Phillips County Circuit Court. Appellant's motion to remand to circuit court to correct the record is granted.

CV-17-67. Lauren Ashley Childress v. Tami Rachelle Braden, from Conway County Circuit Court. Appellant's motion to supplement the record is remanded to the circuit court to settle the record in thirty days (May 12, 2017).

CV-17-124. Elizabeth James v. Butch Lee Walchli, from Sebastian County Circuit Court, Greenwood District. Appellant's motion to file enlarged brief is denied.

CV-17-124. Elizabeth James v. Butch Lee Walchli, from Sebastian County Circuit Court, Greenwood District. Appellant's motion for stay of execution and application for approval of cash bond pending appeal is denied.

CV-17-150. William K. McDaniel, Jr. v. Judith H. McDaniel, from Pulaski County Circuit Court, Seventeenth Division. Appellant's pro se motion to supplement the record and motion for extension of time to file brief, abstract, and addendum is granted.

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 is moot.

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 for stay and supersedeas is granted.

E-17-113. Marcy Ball v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

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-16-860. Edward Lamar Cave v. State of Arkansas, from Grant County Circuit Court. Motion of Philip C Wilson for attorney's fees.

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.

CR-16-980. James Christopher Geeslin v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for permission to file belated brief.

CR-17-160. Linda Michelle Dodds v. State of Arkansas, from Crawford County Circuit Court. Appellant's motion for correction or modification of the record.

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

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.

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."

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CASES SUBMITTED

CV-16-309. Estate of Anderson Dale Williams, Deceased, and Twyla A. Williams v. Schwarze Industries, Inc., and Arkansas Power Steering & Hydraulics, Inc., from Desha County Circuit Court. Orally argued.

CR-15-817. Troy Laurence McCulley v. State of Arkansas, from Poinsett County Circuit Court.

CR-16-681. Robert Maurice Hoey v. State of Arkansas, from Miller County Circuit Court.

CR-16-833. Julia Elizabeth Blackwell v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-16-838. Charles Savage, Jr. v. State of Arkansas, from Ashley County Circuit Court.

CR-16-948. Monty James Payne v. State of Arkansas, from Boone County Circuit Court.

CR-16-971. Bobby Bridgeman v. State of Arkansas, from Pope County Circuit Court.

CR-16-1034. Monty James Payne v. State of Arkansas, from Boone County Circuit Court.

CR-16-1057. Max Douglas Bishop v. State of Arkansas, from Benton County Circuit Court.

CV-16-671. Kathy Pace v. Cora Steele and Estate of Ralph Steele, Deceased, from Lawrence County Circuit Court.

CV-16-698. Trevor McClurkin v. Lauren Jenae Willis and Mark Willis, from Sebastian County Circuit Court, Fort Smith District.

CV-16-915. Pulaski County Special School District v. Janice Lewis and Pam Fitzgiven, from Pulaski County Circuit Court, Sixth Division.

CV-16-958. Alexander Morse v. Haley Alannah Austin and Minor Child, from Marion County Circuit Court.

CV-16-1104. Eugenia Robinson v. Arkansas Department of Human Services and Minor Children, from Union County Circuit Court.

CV-16-1155. Roderick Choate and Lisa Choate v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.

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CASES SUBMITTED

CV-17-5. Joel Buckley v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

CV-17-7. Charlisha Robinson v. Arkansas Department of Human Services and Minor Child, from Lonoke County Circuit Court.

CV-17-20. Ronald Del Grosso v. Arkansas Department of Human Services and Minor Child, from Pope County Circuit Court.

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

E-16-558. Talisha White v. Director et al.

E-16-559. Teresa Gale v. Director et al.

E-16-560. Terance Crossley v. Director et al.

E-16-561. New Delhi on the Deck, Inc. v. Director et al.

E-16-563. Reginald Robinson v. Director et al.

E-16-564. Cheryl Ringgold v. Director et al.

E-16-565. Steven Williamson v. Director et al.

E-16-566. Alicia Rutherford v. Director et al.

E-16-567. Cory Feaser v. Director et al.

E-16-568. Amos Rice v. Director et al.

E-16-569. Mari Blair v. Director et al.

E-16-570. Keith Booher v. Director et al.