

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 26, 2017

RITA W. GRUBER, CHIEF JUDGE:

[CR-16-1057](#). Max Douglas Bishop v. State of Arkansas, from Benton County Circuit Court. Rebriefing ordered. Gladwin and Vaught, JJ., agree.

[CV-16-698](#). Trevor McClurkin v. Lauren Jenae Willis and Mark Willis, from Sebastian County Circuit Court, Fort Smith District. Affirmed as modified in part; reversed and remanded in part. Gladwin and Vaught, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-16-833](#). Julia Blackwell v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed. Hixson and Murphy, JJ., agree.

[CV-16-986](#). Nicholas Acre v. Ashley Acre Tullis, from Faulkner County Circuit Court. Affirmed. Hixson, J., agrees. Murphy, J., concurs.

[CV-17-7](#). Charlisha Robinson v. Arkansas Department of Human Services and Minor Child, from Lonoke County Circuit Court. Affirmed. Hixson and Murphy, JJ., agree.

BART F. VIRDEN, JUDGE:

[CV-16-1143](#). Angel Sims Duncan v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Harrison and Glover, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-16-681](#). Robert Maurice Hoey v. State of Arkansas, from Miller County Circuit Court. Affirmed. Gruber, C.J., agrees. Vaught, J., concurs.

[CV-16-309](#). Estate of Anderson Dale Williams, Deceased, and Twyla A. Williams, Administrator v. Schwarze Industries, Inc., and Arkansas Power Steering and Hydraulics, Inc., from Desha County Circuit Court. Affirmed. Gruber, C.J., and Vaught, J., agree.

BRANDON J. HARRISON, JUDGE:

[CR-15-577](#). Michael Hunter v. State of Arkansas, from Columbia County Circuit Court. Affirmed as modified; remanded to correct the sentencing order. Hixson and Brown, JJ., agree.

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N. MARK KLAPPENBACH, JUDGE:

[CV-16-958](#). Alexander Morse v. Haley Austin and Minor Child, from Marion County Circuit Court. Dismissed without prejudice. Murphy and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-16-984](#). Brenda Higgins v. Bob Thornton, Trustee of the Tonya Merritt Heffner Trust, and Arkansas Children's Hospital, from Lonoke County Circuit Court. Affirmed. Hixson and Brown, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-16-912](#). Hector Torres Vega v. State of Arkansas, from Washington County Circuit Court. Affirmed. Klappenbach and Brown, JJ., agree.

[CV-16-552](#). Preferred Medical Associates, LLC; Adam Wozniak, M.D.; and Dianna Owen v. The Abraham Family Trust, Simon Abraham, M.D., and Annie Abraham, Trustees, from Baxter County Circuit Court. Affirmed. Klappenbach and Brown, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-16-838](#). Charles Savage, Jr. v. State of Arkansas, from Ashley County Circuit Court. Affirmed. Gruber, C.J., and Gladwin, J., agree.

[CV-16-1104](#). Eugenia Ann Marie Robinson v. Arkansas Department of Human Services and Minor Children, from Union County Circuit Court. Affirmed; motion to withdraw granted. Gruber, C.J., and Gladwin, J., agree.

KENNETH S. HIXSON, JUDGE:

[CR-16-948](#). Monty James Payne v. State of Arkansas, from Boone County Circuit Court. Affirmed. Abramson and Murphy, JJ., agree.

[CV-16-915](#). Pulaski County Special School District v. Janice Lewis and Pam Fitzgiven, from Pulaski County Circuit Court, Sixth Division. Affirmed. Abramson and Vaught, JJ., agree.

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MIKE MURPHY, JUDGE:

[CR-16-1034](#). Monty James Payne v. State of Arkansas, from Boone County Circuit Court. Affirmed as modified. Abramson and Hixson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-17-5](#). Joel Buckley v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. 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-16-558. 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.

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PER CURIAM ORDERS

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

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 is granted. Allowed \$1,162.50.

CR-16-298. Willie Wells v. State of Arkansas, from Crittenden County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses is granted. Allowed \$1,800.00.

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 is granted. Allowed \$1,800.00.

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 is remanded to the circuit court to settle the record in thirty days (May 26, 2017).

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 is remanded to the circuit court to settle the record in fifteen days (May 11, 2017).

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 is granted.

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 is denied.

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PER CURIAM ORDERS

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 is granted.

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 is granted.

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 is granted.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-16-715. Barry Andruszczak v. State of Arkansas, from Little River County Circuit Court.

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.

CV-16-897. Nathan Cooper v. Shannon Kalkwarf (Cooper), from Pulaski County Circuit Court, Fourteenth Division.

CR-15-1007. Andrew Keaton Cox v. State of Arkansas, from Washington County Circuit Court. Motion and request of Carey E. Lyles Dowdy for attorney's fees.

CR-16-108. James McPherson v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se objections and motion requesting copy of record and brief from attorneys of record.

CR-16-485. N.L. v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees and expenses.

CR-16-620. Dameion Williams v. State of Arkansas, from Pope County Circuit Court. Motion of Theodis N. Thompson, Jr., for attorney's fees and costs.

CR-16-782. Tamara Van v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellee's motion to dismiss.

CR-16-924. Roger Herman Zemel v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for oral argument.

CR-16-1024. Chris Beason Taffner v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for oral argument.

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MOTIONS SUBMITTED

CR-17-102. Jimmy Chris McMullin v. State of Arkansas, from Pope County Circuit Court. Pro se motion for appointment of counsel and petition for leave to proceed in forma pauperis.

CR-17-286. Norman Ray Bullock v. State of Arkansas, from Prairie County Circuit Court, Northern District. Motion of Tim Blair to withdraw as attorney on direct appeal and for appointment of counsel.

CR-17-296. Brian Cross v. State of Arkansas, from Newton County Circuit Court. Appellant's motion for extension to perfect record.

CV-16-616. Terry Haney v. Comfort Inn and Continental Western Insurance Company, from the Arkansas Workers' Compensation Commission. Appellees' motion to dismiss the appeal.

CV-16-842. Farm Bureau Mutual Insurance Company of Arkansas, Inc. v. Future Davenport, from St. Francis County Circuit Court. Appellee's petition for attorney's fees and costs.

CV-16-895. Ocwen Loan Servicing, LLC, and Federal Home Loan Mortgage Corporation v. Jamie T. Mickna, from Washington County Circuit Court. Appellants' motion for oral argument.

CV-17-60. James Tony Hollis v. National Office of the NAACP et al., from Mississippi County Circuit Court, Chickasawba District. Appellant's pro se motion of limine-to include evidence.

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. Motion of appellees Estate of Fred N. Bollinger; John Bollinger, Executor; and Fred Bollinger, Jr., for reconsideration of order granting appellant, Farm Credit Midsouth, PCA's, motion for stay of execution and supersedeas.

CV-17-280. Dashunda R. Johnson v. Pizza Hut, from the Arkansas Workers' Compensation Commission. Appellant's pro se petition to proceed in forma pauperis.

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CASES SUBMITTED

CV-16-305. Brian L. Powell and Jelina Lewis v. ISC North, LLC, and ISC South, LLC, from Washington County Circuit Court. Orally argued.

CR-16-722. Cody Alan Boose v. State of Arkansas, from Faulkner County Circuit Court.

CR-16-778. Tyrun Lamont Jones v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CR-16-787. Myrickki McClendon v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-16-806. Brandon Duane Williams v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-16-807. Tearbrey Rashad Anderson and Zayzhon Thompson v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-16-825. Christopher Shawn Williams v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CV-16-514. Angela Moody v. Edward Moody, from Pulaski County Circuit Court, Fourteenth Division.

CV-16-691. Qiana Allmon-Lipscomb v. State of Arkansas, from Pulaski County Circuit Court, Ninth Division.

CV-16-808. John Wesley Slayton v. Windstream Communications, Inc., and Windstream Holdings, Inc., from Pulaski County Circuit Court, Sixth Division.

CV-16-816. Breanna Nicole Madore v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court.

CV-16-910. Mike Kraft v. Limestone Partners, LLC, from Faulkner County Circuit Court.

CV-16-978. Broadway Health and Rehab, LLC; Broadway Healthcare Center; and Broadway Health Holdings, LLC v. Catherine Roberts and Estate of Evelyn King, from Crittenden County Circuit Court.

CV-16-1022. Parrish A. Dare v. Scott A. Frost, from Saline County Circuit Court.

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CASES SUBMITTED

CV-16-1023. William W. Hyman v. Bill Sadler, Information Officer, Arkansas State Police, and Bill Bryant, Colonel, Arkansas State Police Director, from Pulaski County Circuit Court, Ninth Division.

CV-16-1046. Khaleelah Sabreen Brown v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eleventh Division.

CV-17-50. William Norton, Jr. 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-17-13. Rubi Gregory v. Director et al.

E-17-14. Todd Harvey v. Director et al.

E-17-15. Lora Green v. Director et al.

E-17-16. Patricia Hare v. Director et al.

E-17-17. Rocky Hall v. Director et al.

E-17-18. Rhonda Shirley v. Director et al.

E-17-19. Paul Zenaro v. Director et al.

E-17-20. Gary Lafferty v. Director et al.

E-17-21. Paul Miller v. Director et al.

E-17-22. Charles Thompson v. Director et al.

E-17-23. Chad Smith v. Director et al.

E-17-24. Shane Downs v. Director et al.