

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 7, 2017

BART F. VIRDEN, JUDGE:

[E-17-66](#). Tayia Whitmer v. Director, Department of Workforce Services, and Systems Contracting, from the Arkansas Board of Review. Reversed and remanded. Whiteaker and Murphy, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-17-74](#). Britney Smith v. Arkansas Department of Human Services and Minor Child, from Madison County Circuit Court. Affirmed. Abramson and Glover, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CV-16-989](#). Sharon K. Barton, Robert Franklin Bryant, Gallie Thomas Bryant, and Frances Paulette Bryant v. Bobby and Sheila Brockinton, from Faulkner County Circuit Court. Affirmed. Vaught and Brown, JJ., agree.

[CV-17-2](#). Tonya Mason (f/k/a Robertson) v. Jonathan Chris Robertson, from White County Circuit Court. Affirmed. Vaught and Brown, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-16-995](#). Andrew Lee Wiseman, Jr. v. State of Arkansas, from Hempstead County Circuit Court. Affirmed. Gruber, C.J., and Hixson, J., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-15-993](#). Robin M. Emis v. Keith W. Emis, from Pulaski County Circuit Court, Sixteenth Division. Affirmed. Gladwin and Murphy, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-16-811](#). Joshua John Johnson v. State of Arkansas, from Logan County Circuit Court, Northern District. Affirmed. Harrison and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-17-101](#). Haylee Monique Bunch v. Arkansas Department of Human Services and Minor Children, from Marion County Circuit Court. Reversed and remanded. Virden, Whiteaker, and Murphy, JJ., agree. Gruber, C.J., and Klappenbach, J., dissent.

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MIKE MURPHY, JUDGE:

[CV-16-1127](#). Tara Lynn Wallace v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eighth Division. Affirmed. Virden and Whiteaker, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-16-908](#). Donnell Robinson v. State of Arkansas, from Chicot County Circuit Court. Affirmed. Harrison and Vaught, JJ., agree.

[CV-16-563](#). Cassaundra Holmes, Individually, and as Trustee of the Betty L. Potter Revocable Trust Established September 10, 2004, and Thomas Wright and Kevin Wright v. Fredrick R. Potter, Individually, and as Trustee of the Fred R. Potter Revocable Trust Established September 10, 2004, and as Trustee of the Fred Potter Revocable Trust Established July 10, 2013, from Scott County Circuit Court. Affirmed. Harrison and Vaught, JJ., agree.

[CV-16-975](#). U.S. Currency in the Amount of \$31,418.00 and Nathan Stevens v. State of Arkansas, from Lonoke County Circuit Court. Affirmed. Harrison and Vaught, 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-17-60. Rachel Hoff v. Director et al.

E-17-61. Wendy Harvey v. Director et al.

E-17-62. Michael Cusack v. Director et al.

E-17-63. Mark Voumard v. Director et al.

E-17-64. Tonya Daniels v. Director et al.

E-17-65. Debra Dean v. Director et al.

E-17-67. Kimberly Lane v. Director et al.

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E-17-68. Arletric Haynes v. Director et al.

E-17-69. Fredrick Dunnick v. Director et al.

E-17-70. Laura Bean v. Director et al.

E-17-71. Andy Wiggs 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-16-633. Lee Sullivan Ivory v. State of Arkansas, from Independence County Circuit Court.

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

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

CV-16-149. Nathan J. Jarrett and Key Energy Services, LLC v. Andrew J. Brand, from Perry County Circuit Court.

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

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

CR-15-229. Kenyon Wayne Taylor v. State of Arkansas, from Garland County Circuit Court. Motion of Clinton W. Lancaster for attorney's fees is granted. Allowed \$1,800.00.

CR-16-383. Rodric D. Cohns v. State of Arkansas, from Faulkner County Circuit Court. Motion of Brian G. Brooks for attorney's fees and costs is granted. Allowed \$1,800.00.

CR-16-670. Dalana Renee Phillips v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fee and expenses is granted. Allowed \$1,800.00.

CR-16-778. Tyrun Lamont Jones v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion of Robert M. "Robby" Golden for award of attorney's fees and costs is granted. Allowed \$1,800.00.

CR-17-106. Tyrome Harris, Sr. v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for permission to file a supplemental reply brief is granted.

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CR-17-185. David Hanley v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to file belated brief is granted.

CR-17-241. Frankie Dwayne Vonholt v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for remand to settle the record and to stay briefing schedule is granted.

CR-17-399. Catalina Pacheco-Alvarez v. State of Arkansas, from Saline County Circuit Court. Motion of Jason Files to withdraw as counsel is granted.

CV-16-514. Angela Moody v. Edward Moody, from Pulaski County Circuit Court, Fourteenth Division. Appellant's motion for reconsideration is denied. Whiteaker, J., would deny without prejudice. Gladwin, J., would grant. Gruber, C.J., not participating.

CV-16-815. Fayetteville Express Pipeline, LLC v. Arkansas Public Service Commission, from Pulaski County Circuit Court, Fifth Division. Appellant's motion for oral argument is denied. Gruber, C.J., and Virden and Harrison, JJ., would grant.

CV-17-48. Jan Christopher Sarna v. Arkansas Department of Correction, Sex Offender Assessment Committee, from Pulaski County Circuit Court, Sixth Division. Appellant's motion for leave to proceed in forma pauperis on appeal is denied.

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 that answer-affidavit be ruled as untimely is moot.

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 to reconsider of limine - to include evidence is moot.

CV-17-159. Pulaski County, Doc Holladay, and Lesa Warner v. Bessie Glass, from Pulaski County Circuit Court, Fifth Division. Amended motion for substitution of counsel and entry of appearance is granted. Gruber, C.J., not participating.

CV-17-392. Pamela Miller Doe v. National Healthcare of Newport, Inc., et al., from Jackson County Circuit Court. Motion of Shawn G. Childs and John W. Walker to withdraw as counsel is granted.

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PER CURIAM ORDERS

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

CV-16-731. First Government Lease Company and Paul Anthony Graver v. Northwest Scott County Volunteer Fire Department, from Scott County Circuit Court.

CV-16-890. Walnut Ridge Nursing and Rehabilitation v. Arkansas Department of Human Services, Division of County Operations, from Pulaski County Circuit Court, Sixth Division.

CV-16-1082. Natta Gill-Coleman v. Evelyn Allen et al., from Lee County Circuit Court.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-16-964. James Edward Whitney v. State of Arkansas, from Washington County Circuit Court.

CV-16-636. Danielle Blair v. Randall Willis, from Garland County Circuit Court.

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

CV-16-885. American Gamebird Research Education and Development Foundation, Inc. v. Thomas Burton and Cindy Burton, from Lafayette County Circuit Court.

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

CV-16-936. Thomas Burton and Cindy Burton v. American Gamebird Research Education and Development Foundation, Inc., from Lafayette County Circuit Court.

CV-16-942. Helen Louise McGowan v. Misty Massey, Individually, and as Parent and Next Friend of B.A.C., a Minor, from Pope County Circuit Court.

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

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

CR-16-734. Christopher Eddie Lee Brewer v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Motion of Mylissia M. Blankenship for attorney's fees.

CR-16-881. Ron Antwon Harris v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Motion and request of Laura Avery for attorney's fees.

CR-16-1050. Jacob Taylor Springs v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of David L. Dunagin for attorney's fees.

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MOTIONS SUBMITTED

CR-16-1103. Costello Devonte Byrd v. State of Arkansas, from Miller County Circuit Court. Appellee's motion to dismiss.

CR-16-1134. Eric Lewis v. State of Arkansas, from Ouachita County Circuit Court. Appellant's motion for remand to complete the record, motion to stay briefing schedule, and for additional brief time.

CR-17-12. Michael Todd v. State of Arkansas, from Hempstead County Circuit Court. Appellant's pro se motion for extension of time to file belated brief.

CR-17-85. Ronald Anthony Antonello v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to stay briefing schedule and to supplement the record.

CR-17-323. L.J. v. State of Arkansas, from Pulaski County Circuit Court, Tenth Division. Appellant's motion for supplemental transcript.

CR-17-323. L.J. v. State of Arkansas, from Pulaski County Circuit Court, Tenth Division. Appellant's motion for additional supplemental transcript.

CR-17-446. Frederick Allan Williams v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to consolidate three related appeals.

CR-17-448. Frederick Allan Williams v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to consolidate three related appeals.

CR-17-449. Frederick Allan Williams v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to consolidate three related appeals.

CV-16-986. Nicholas Acre v. Ashley Acre Tullis, from Faulkner County Circuit Court. Appellee's motion for attorney's fees.

CV-16-1115. Kristina Bonds v. Clay Bonds, from Pope County Circuit Court. Motion of Robert M. Veach to substitute counsel.

CV-17-79. JMAC Farms, LLC v. G&C Generator, LLC, from Benton County Circuit Court. Motion for extension of page limit for appellee's counterstatement of the case.

CV-17-236. Adriana Wilhelm v. Greg Wilhelm, from Washington County Circuit Court. Appellant's motion for stay pending appeal.

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MOTIONS SUBMITTED

CV-17-369. Denise McCormick v. Arkansas State Medical Board, from Baxter County Circuit Court. Appellant's motion to correct and supplement record on appeal.

CV-17-393. Dustin Rosenbaum v. Arkansas Department of Human Services and Minor Child, from Sharp County Circuit Court. Appellant's motion to supplement the record and stay briefing schedule.

CV-17-434. FFH Construction, LLC; and Foster, Files, and Harris, LLC v. Ed Ralston and Stacy Ralston, from Sebastian County Circuit Court, Fort Smith District. Appellees' motion to dismiss appeal.

CV-17-476. Kristina Johnson v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Petition to proceed in forma pauperis.