

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 20, 2017

RITA W. GRUBER, CHIEF JUDGE:

[CR-17-1](#). Jesse Emanuel Harris v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gladwin and Klappenbach, JJ., agree.

[CV-16-441](#). Park Plaza Mall CMBS, LLC, and ERMC, LP v. Kimberly Marie Powell, Individually and as Special Administratrix of the Estate of Christian Ellis Hayes, Deceased, from Pulaski County Circuit Court, Thirteenth Division. Dismissed without prejudice. Whiteaker and Brown, JJ., agree.

[CR-17-1](#). Gabrielle Potterton v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Whiteaker and Brown, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-17-73](#). Brittney Brasher v. Arkansas Department of Human Services and Minor Child, from Boone County Circuit Court. Affirmed. Vaught and Hixson, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-17-218](#). Chachawal Chawangkul v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Affirmed. Glover and Murphy, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-16-368](#). Erik Omar Garcia v. State of Arkansas, from Hempstead County Circuit Court. Affirmed. Harrison and Klappenbach, JJ., agree.

[CV-17-221](#). Ashley Hollinger v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Harrison and Klappenbach, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CV-16-810](#). Larry Pingatore v. Union Pacific Railroad Company and Dennis Hatley, from Crittenden County Circuit Court. Affirmed. Gruber, C.J., and Abramson, J., agree.

[CV-16-1086](#). Jacqueline R. McLennan v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Tenth Division. Affirmed; motion to withdraw granted. Gladwin and Klappenbach, JJ., agree.

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BRANDON J. HARRISON, JUDGE: (Continued)

[CV-16-1149](#). Anthony Chase Jones v. April Flores Sanchez, from Garland County Circuit Court. Affirmed. Gruber, C.J., and Abramson, J., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-16-1029](#). Clarence Whitworth v. State of Arkansas, from Pulaski County Circuit Court, First Division. Reversed. Gladwin and Harrison, JJ., agree.

[CV-16-1042](#). Kimberlee R. Guin v. Richard D. McWhorter, from Washington County Circuit Court. Affirmed. Gladwin and Harrison, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CR-17-106](#). Tyrome Harris, Sr. v. State of Arkansas, from Pulaski County Circuit Court, First Division. Remand to the trial court to supplement the record. Virden and Murphy, JJ., agree.

[CV-17-282](#). Tammie Lee Curtis v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Virden and Murphy, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-16-1105](#). Matthew Reagan Coger v. State of Arkansas, from Madison County Circuit Court. Affirmed in part; reversed in part. Gruber, C.J., and Brown, J., agree.

[CV-17-231](#). Crystal Beck v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Affirmed. Gruber, C.J., and Brown, J., agree.

LARRY D. VAUGHT, JUDGE:

[CR-16-1140](#). Byron Jamarr Flowers v. State of Arkansas, from Miller County Circuit Court. Affirmed. Abramson and Hixson, JJ., agree.

[CV-17-295](#). Burt Rogers v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Abramson and Hixson, JJ., agree.

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KENNETH S. HIXSON, JUDGE:

[CV-16-1116](#). Cornell Taper v. City of Forrest City; Gordon McCoy, Former Mayor; and Larry Bryant, Mayor, from St. Francis County Circuit Court. Remanded to settle and supplement the record and to supplement the addendum. Abramson and Vaught, JJ., agree.

[CV-17-300](#). Molly Bynum v. Arkansas Department of Human Services and Minor Children, from Stone County Circuit Court. Affirmed. Abramson and Vaught, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-16-914](#). Melissa Diane Stearns v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Virden and Glover, JJ., agree.

[CV-17-319](#). Jennifer Denen v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Affirmed; motion to withdraw granted. Virden and Glover, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-16-941](#). Joseph Thomas Lacefield v. State of Arkansas, from Benton County Circuit Court. Rebriefing ordered. Gruber, C.J., and Whiteaker, J., agree.

[CV-17-328](#). Max McKinney, Sr. v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western Division. Affirmed. Harrison 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-17-96. Xpress Courier Services, Inc. v. Director et al.

E-17-109. Rickey Price v. Director et al.

E-17-110. Joe Richardson v. Director et al.

E-17-111. Tabitha Watkins v. Director et al.

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- E-17-112. Sheila Jackson v. Director et al.
- E-17-114. Paulette Gilton v. Director et al.
- E-17-115. Eddie Chappell v. Director et al.
- E-17-116. Gary Manning v. Director et al.
- E-17-117. Willie Greer v. Director et al.
- E-17-118. Tyronda Nelson v. Director et al.
- E-17-119. Jason Rucker v. Director et al.
- E-17-120. Bennie Butler v. Director et al.
- E-17-121. Leah Wooldridge v. Director et al.
- E-17-122. Mona Hutchins v. Director et al.
- E-17-123. Jennifer Jacobs v. Director et al.
- E-17-124. Gordon Maxwell v. Director et al.
- E-17-125. Charles Lee v. Director et al.
- E-17-126. Marlene Guy v. Director et al.
- E-17-127. Glenda Tefeller v. Director et al.
- E-17-128. Dominique Sheats v. Director et al.
- E-17-129. Bonnie Poling v. Director et al.
- E-17-130. Jeremy Stewart v. Director et al.
- E-17-131. Jeremy Stewart v. Director et al.
- E-17-132. Keith Johnston v. Director et al.

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PER CURIAM ORDERS

CR-17-705. Charles Forrest Silmon v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of David L. Dunagin to withdraw as counsel and for appointment of counsel is granted. Lisa-Marie Norris is appointed to represent the appellant on appeal.

CV-17-237. Thomas Welvaert v. Arkansas Department of Human Services and Minor Child, from Conway County Circuit Court. Appellees' joint motion to strike appellant's reply brief is passed until the case is submitted.

CV-17-400. Joetta Davis v. White Hall School District and Arkansas School Boards Association, from the Arkansas Workers' Compensation Commission. Appellees' motion to dismiss appeal is granted.

CV-17-523. Charles Nathan Harrelson, Lesley Harrelson, and Margaret Harrelson v. Dee King, from Washington County Circuit Court. Appellants' motion to clarify and substitute page 57 of appellants' addendum granted. Substituted page due in seven days (September 27, 2017).

CV-17-556. Shawn Harris v. James T. Parrish, from Pope County Circuit Court. Appellant's motion to supplement the record is granted. Supplement to the record and supplemental addendum filed this date. Viriden, J., not participating.

CV-17-652. Miranda Thomas v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District. Appellant's motion to correct the record and motion to stay briefing schedule is granted. Remanded to the circuit court to correct the record in fifteen days (October 5, 2017).

CV-17-658. First Government Lease Company and Paul Graver v. Northwest Scott County Volunteer Fire Department, from Scott County Circuit Court. Appellants' combined motion to remand to correct the record or, alternatively, petition for writ of certiorari to complete the record, and motion to extend time or stay the briefing schedule is granted. Remanded to the circuit court to correct the record in thirty days (October 20, 2017).

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MOTIONS SUBMITTED

CR-16-854. Fred Albert Kauffeld v. State of Arkansas, from Johnson County Circuit Court. Motion of William O. “Bill” James, Jr., for attorney’s fees.

CR-16-856. Oliver W. Hart III v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for attorney’s fees and costs.

CR-16-1065. Jesse Torres v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney’s fees.

CR-16-1066. Robert Lewis Pierce v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney’s fees.

CR-17-25. James Edward Crippen v. State of Arkansas, from Crawford County Circuit Court. Pro se motion for rebriefing order and appellant’s reply brief.

CR-17-37. Lonnie Henry Hamilton, Jr. v. State of Arkansas, from Lafayette County Circuit Court. Motion of Phillip A. McGough for attorney’s fees and costs.

CR-17-436. Jeremy Allen Curl, Deceased, and Norma Jean Curl, Special Administrator v. State of Arkansas, from Washington County Circuit Court. Motion of Tim Cullen for attorney’s fees and costs.

CR-17-487. Charles Randall Davis v. State of Arkansas, from Poinsett County Circuit Court. Appellant’s unopposed petition for writ of certiorari to complete the record.

CV-17-272. Teresa A. Griffith, as Executrix of the Estate of Dorothy J. Grable, Deceased v. Rick Griffith, from Pulaski County Circuit Court, Seventeenth Division. Appellee’s motion to file belated brief and for extension of time to file brief.

CV-17-275. Nathaniel L. Wakefield v. Angela Lee Bell, from Boone County Circuit Court. Appellant’s motion to seal and for protective order.

CV-17-393. Dustin Rosenbaum and Alisha Allard v. James John Craske, Sara Craske, Arkansas Department of Human Services, and Minor Child, from Sharp County Circuit Court. Motion of appellant Dustin Rosenbaum to supplement the record.

CV-17-760. Rachel Cooper v. Chris Merwether, from Woodruff County Circuit Court. Appellant’s motion to seal and for protective order.

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MOTIONS SUBMITTED

E-17-215. Henry Spellman v. Director et al., from the Arkansas Board of Review. Pro se motion to dismiss appeal.

E-17-216. Henry Spellman v. Director et al., from the Arkansas Board of Review. Pro se motion to dismiss appeal.

E-17-360. Detrick Haynes v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

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CASES SUBMITTED

CR-16-108. James Lee McPherson v. State of Arkansas, from Faulkner County Circuit Court.

CR-16-169. Donnie Ray Slater v. State of Arkansas, from Arkansas County Circuit Court, Southern District.

CR-16-372. Robert Thomas Dark v. State of Arkansas, from Garland County Circuit Court.

CR-16-857. Billy Joe Davis v. State of Arkansas, from Jefferson County Circuit Court.

CR-16-1092. Dorian Lacy v. State of Arkansas, from Clark County Circuit Court.

CR-16-1124. Larry Williams v. State of Arkansas, from Pulaski County Circuit Court, Second Division.

CR-17-12. Michael Todd v. State of Arkansas, from Hempstead County Circuit Court.

CR-17-301. David Eugene Lewis v. State of Arkansas, from Arkansas County Circuit Court, Northern District.

CV-16-917. Tami Thomas Darr v. Francis Jean Billeaudeau, from Pulaski County Circuit Court, Fifteenth Division.

CV-16-1115. Kristina Bonds Emmons v. Clay Bonds, from Pope County Circuit Court.

CV-16-1122. Nicky Murphy v. FNBC Bank f/k/a First National Banking Company, Austin Wesley, and Kathleen Wesley, from Sharp County Circuit Court.

CV-16-1151. The AGRED Foundation d/b/a American Game Bird Research Education and Development Foundation, Inc. v. Friends of Lake Earling Association, from Lafayette County Circuit Court.

CV-17-93. Richard G. Johnson, Esq. v. P.A.M. Transport, Inc., and Zurich American Insurance Company, from the Arkansas Workers' Compensation Commission.

CV-17-155. John Kirk v. Central States Manufacturing, Inc.; Liberty Mutual Insurance Company; and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

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CASES SUBMITTED

CV-17-233. Charles A. Schroeder v. Towmate, LLC, from Benton County Circuit Court.

CV-17-237. Thomas Welvaert v. Arkansas Department of Human Services and Minor Child, from Conway County Circuit Court.

CV-17-251. Francesca Mercado v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

CV-17-418. Timothy Brinkley and Dorletha Brinkley Lambert v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District.

CV-17-419. Timothy Brown v. Arkansas Department of Human Services and Minor Child, from Crawford County Circuit Court.

CV-17-422. Jessie Bill Ross and Krista Denise Jameson v. Arkansas Department of Human Services and Minor Children, from Crawford County Circuit Court.

CV-17-427. Amanda Lessley v. Arkansas Department of Human Services and Minor Children, from Benton County Circuit Court.

CV-17-444. Crystal Michelle Butler v. Arkansas Department of Human Services and Minor Children, from Union County Circuit Court.

CV-17-456. Tegan Dowdy v. Arkansas Department of Human Services and Minor Children, from Crawford County Circuit Court.

CV-17-463. Sabreann Baxter v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eleventh Division.

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

E-17-159. Donna Almond v. Director et al.

E-17-160. Kenya Hicks v. Director et al.

E-17-161. Alonzo Carroll v. Director et al.

E-17-162. Tamra Cummings v. Director et al.

E-17-163. Charles Morris v. Director et al.

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CASES SUBMITTED

- E-17-164. Martha Follett v. Director et al.
- E-17-165. Shelley Cummings v. Director et al.
- E-17-166. David Walter v. Director et al.
- E-17-167. Doug Wilhite v. Director et al.
- E-17-168. Kathleen Keough v. Director et al.
- E-17-169. Dowell Koller v. Director et al.
- E-17-170. Brian Browning v. Director et al.
- E-17-171. Tony Givens v. Director et al.
- E-17-172. Debra Palmer v. Director et al.
- E-17-173. Evelyn Vetter v. Director et al.
- E-17-174. Justin Wren v. Director et al.
- E-17-175. James Burns v. Director et al.
- E-17-176. Glen Hill, Jr. v. Director et al.
- E-17-178. Julius Hummel v. Director et al.
- E-17-179. James Anderson v. Director et al.
- E-17-180. Latrina Ollison v. Director et al.
- E-17-181. Susan McGonigal v. Director et al.
- E-17-182. Marcus Eason v. Director et al.
- E-17-183. Janice Hutchinson v. Director et al.