

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JANUARY 31, 2018**

**RITA W. GRUBER, CHIEF JUDGE:**

[CV-17-551](#). Arkansas Department of Correction and Arkansas Insurance Department, Public Employee Claims Division v. Franklin Gyron Clary, from the Arkansas Workers' Compensation Commission. Affirmed. Harrison and Glover, JJ., agree.

[CV-17-790](#). Tiffany Turner v. Arkansas Department of Human Services and Minor Child, from Union County Circuit Court. Affirmed. Harrison and Glover, JJ., agree.

**RAYMOND R. ABRAMSON, JUDGE:**

[CR-17-241](#). Frankie Dwayne Vonholt v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Vaught and Hixson, JJ., agree.

[cv-17-192](#). Tabitha Burgess Toney v. Jerry Burgess, from Saline County Circuit Court. Affirmed. Vaught and Hixson, JJ., agree.

[CV-17-549](#). Daniel Montez v. Consuela Montez (now Trujillo), from Washington County Circuit Court. Reversed and remanded. Vaught, J., agrees. Hixson, J., concurs.

**BART F. VIRDEN, JUDGE:**

[CV-17-698](#). Tiffany McLemore v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Tenth Division. Affirmed. Glover and Brown, JJ., agree.

**ROBERT J. GLADWIN, JUDGE:**

[CV-17-556](#). Shawn Harris v. James Parrish, from Pope County Circuit Court. Rebriefing ordered. Whiteaker and Brown, JJ., agree.

[CV-17-797](#). Duane Ewasiuk v. Arkansas Department of Human Services and Minor Children, from Johnson County Circuit Court. Affirmed. Whiteaker and Brown, JJ., agree.

**BRANDON J. HARRISON, JUDGE:**

[CV-17-374](#). Arkansas Department of Community Correction and Public Employee Claims Division v. Kathy Moore, from the Arkansas Workers' Compensation Commission. Affirmed. Gruber, C.J., and Glover, J., agree.

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#### **BRANDON J. HARRISON, JUDGE:** (Continued)

[CV-17-712](#). Natasha Whitaker and Martin Ramirez v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Affirmed. Whiteaker and Hixson, JJ., agree.

#### **N. MARK KLAPPENBACH, JUDGE:**

[CR-17-661](#). Rodney Antonio Willis v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Supplementation of the addendum ordered. Virden and Murphy, JJ., agree.

#### **DAVID M. GLOVER, JUDGE:**

[CR-17-424](#). Dionte Dewayne Parks v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gruber, C.J., and Harrison, J., agree.

[CV-17-553](#). Daniel Dee Stovall v. Rudy Preston, from Nevada County Circuit Court. Affirmed; motions for sanctions denied. Gruber, C.J., and Harrison, J., agree.

[CV-17-640](#). Carolyn Jade Benson v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eighth Division. Affirmed. Gruber, C.J., and Harrison, J., agree.

#### **PHILLIP T. WHITEAKER, JUDGE:**

[CR-16-1092](#). Dorian Lacy v. State of Arkansas, from Clark County Circuit Court. Affirmed. Gladwin and Brown, JJ., agree.

[CV-17-562](#). Shawn Seth Hansen v. City of Siloam Springs and Arkansas Municipal League, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Brown, JJ., agree.

#### **LARRY D. VAUGHT, JUDGE:**

[CR-17-600](#). Joseph Dewayne Duren v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Abramson and Hixson, JJ., agree.

[CR-17-668](#). Rodney Chambers v. State of Arkansas, from Washington County Circuit Court. Affirmed. Abramson and Hixson, JJ., agree.

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**LARRY D. VAUGHT, JUDGE: (Continued)**

[CV-17-564](#). Marilyn Hopson v. Little Rock School District and Fred Boosey, Individually and in His Official Capacity, from Pulaski County Circuit Court, Sixth Division. Dismissed. Abramson and Hixson, JJ., agree.

[CV-17-758](#). Richard Blasingame v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Abramson and Hixson, JJ., agree.

**KENNETH S. HIXSON, JUDGE:**

[CR-17-641](#). Keith Harris v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Abramson and Vaught, JJ., agree.

[CV-17-609](#). Alicia Michelle Morris v. Jannelle Marie Clark, from Jefferson County Circuit Court. Affirmed. Abramson and Vaught, JJ., agree.

**MIKE MURPHY, JUDGE:**

[CR-17-284](#). Michael Anthony Mercuri v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Virden and Klappenbach, JJ., agree.

[CV-17-511](#). Marcus Townsend v. Dorian T'Ya Townsend, from Pulaski County Circuit Court, Third Division. Remanded to settle and supplement the record; rebriefing ordered. Virden and Klappenbach, JJ., agree.

[CV-17-532](#). Judith Stegall v. Arkansas Department of Human Services, from Washington County Circuit Court. Affirmed. Virden and Klappenbach, JJ., agree.

[CV-17-631](#). P.A.M. Transport, Inc. v. David Parker Eason, from the Arkansas Workers' Compensation Commission. Affirmed. Virden and Gladwin, JJ., agree.

**WAYMOND M. BROWN, JUDGE:**

[CV-17-155](#). John Kirk v. Central States Manufacturing, Inc.; Liberty Mutual Group; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Klappenbach and Whiteaker, JJ., agree.

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**WAYMOND M. BROWN, JUDGE:** (Continued)

[CV-17-560](#). John Williams v. Patricia Williams, from Montgomery County Circuit Court. Reversed in part; reversed and remanded in part. Gladwin and Whiteaker, JJ., agree.

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**PER CURIAM ORDERS**

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

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

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CR-17-833. James E. Whitney v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for leave to submit belated reply brief with supplemental addendum is denied.

CV-17-727. Larry Hamilton v. Bank of the Ozarks, from Pulaski County Circuit Court, Fifteenth Division. Appellant's pro se motion for extension of time to file and to stay briefing schedule is granted. Appellant's brief is due in fifteen days (February 15, 2018).

CV-17-765. Herbert Ayers v. Tyson Poultry, Inc., and Second Injury Fund, from the Arkansas Workers' Compensation Commission. Appellant's motion to submit new evidence is denied.

CV-17-1042. Brian Newton v. Rebecca Newton, from Saline County Circuit Court. Appellant's motion to supplement the record or, alternatively, petition for writ of certiorari to complete the record is remanded to settle the record. Harrison, J., not participating.

CV-17-1065. Farm Bureau Mutual Insurance Company of Arkansas, Inc. v. Randy Hopkins and Chris Lane, from Pulaski County Circuit Court, Ninth Division. Appellant's motion for stay of order and filing of supersedeas bond is denied.

CV-17-1071. Laura Jackson v. Arkansas Department of Human Services and Minor Child, from Carroll County Circuit Court, Eastern District. Motion of Maria McSperritt to be relieved as appellate counsel and to have the Arkansas Public Defender Commission appointed is denied.

CV-18-17. Vicki Kline v. PHH Mortgage Corporation, from Benton County Circuit Court. Appellant's motion to stay execution of order is denied.

E-18-16. Debra Patrice Knight-Koepka v. Director et al., from the Arkansas Board of Review. Motion for belated appeal is denied.

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**MOTIONS SUBMITTED**

CR-17-148. Charles Douglas Taylor v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for fees and costs.

CR-17-165. Brad L. Hill v. State of Arkansas, from Pope County Circuit Court. Motion of Natalie S. King for cost and attorney fees.

CR-17-554. Frederick T. Jones v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion for leave to file his reply brief belatedly due to a technical failure of the e-filing system.

CR-17-702. Alvontae Whitmore v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-17-848. Kirk David Halcomb v. State of Arkansas, from Ashley County Circuit Court. Appellant's pro se motion to supplement.

CR-17-848. Kirk David Halcomb v. State of Arkansas, from Ashley County Circuit Court.  
Appellant's pro se motion to file belated brief.

CR-17-1014. Brandon Wallace v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's belated motion for extension of time.

CR-17-1015. Eddie Nelson v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's belated motion for extension of time.

CR-17-1050. Jamal D. Akram v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's pro se petition for appointment of counsel and time extension to file brief.

CV-17-1022. Hickory Heights Health and Rehab, LLC; Central Arkansas Nursing Centers, Inc.; Nursing Consultants, Inc., d/b/a Professional Nursing and Rehabilitation Services; Tina Lynette Beard, Individually and as Nursing Home Administrator for Hickory Heights Health and Rehab, LLC; Michael S. Morton v. Mabel Keller Cook, from Pulaski County Circuit Court, Sixth Division. Appellant's motion to correct the record on appeal.

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### CASES SUBMITTED

CV-17-462. Pine Hills Health and Rehabilitation, LLC; Arkansas SNF Operations Acquisitions, LLC; SLC Professionals, LLC; ADDIT, LLC, d/b/a Compass Pointe Healthcare System; Patricia Bullard; and Robin Looney v. Jesse Alan Talley, as Power of Attorney and Next Friend of Glenda Sue Talley, an Incapacitated Person, from Ouachita County Circuit Court. Orally argued.

CR-17-286. Norman Ray Bullock v. State of Arkansas, from Prairie County Circuit Court, Northern District.

CR-17-566. Chase J. Hallsted v. State of Arkansas, from Benton County Circuit Court.

CR-17-569. Reginald Maurice Crayton v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-17-656. Conrail Lamon Criswell v. State of Arkansas, from Conway County Circuit Court.

CR-17-679. James D. Horton v. State of Arkansas, from Lonoke County Circuit Court.

CR-17-736. T.R. v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-17-799. Terry Donnell Lee, Jr. v. State of Arkansas, from Desha County Circuit Court, Arkansas City District.

CR-17-833. James Edward Whitney v. State of Arkansas, from Washington County Circuit Court.

CR-17-875. German Vasquez v. State of Arkansas, from Crawford County Circuit Court.

CV-17-275. Nathaniel L. Wakefield v. Angela Lee Bell, from Boone County Circuit Court.

CV-17-396. Kimberly Bentley v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

CV-17-579. Jennifer Furr v. David Furr, from Crawford County Circuit Court.

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## PROCEEDINGS OF JANUARY 31, 2018

### CASES SUBMITTED

CV-17-647. Cleveland Earl Smith v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Sixth Division.

CV-17-655. Mahmood Ahmad, M.D. v. Arkansas State Medical Board, from Pulaski County Circuit Court, Sixth Division.

CV-17-666. Kristal L. Thompson v. Luke B. Brunck and Amber M. Brunck, from Washington County Circuit Court.

CV-17-683. Bud Anderson Heating and Cooling, Inc. v. Mike Neil, LLC, from Benton County Circuit Court.

CV-17-695. R. David Lewis, Al Stukenborg, and Phillip Wise v. City of Benton, from Saline County Circuit Court.

CV-17-706. Tamekia Walter v. Gerome D. Chism, from Pulaski County Circuit Court, Fourteenth Division.

CV-17-809. Eric K. Collier v. Wal-Mart Associates, Inc., and Claims Management, Inc., from the Arkansas Workers' Compensation Commission.

CV-17-823. Kyle McKinney v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

CV-17-860. Teshara Garlington v. Arkansas Department of Human Services and Minor Children, from Faulkner County Circuit Court.

CV-17-877. Tiffany Howell v. Arkansas Department of Human Services and Minor Children, from Clay County Circuit Court, Eastern District.

CV-17-899. Ashley Cole v. Arkansas Department of Human Services and Minor Children, from Dallas County Circuit Court.

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

E-17-397. Sharanta Raynor v. Director et al.

E-17-398. Rebecca Dye v. Director et al.



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**CASES SUBMITTED**

- E-17-399. Marvin Washington v. Director et al.
- E-17-400. Bonnie Spencer v. Director et al.
- E-17-401. Jerry Terry v. Director et al.
- E-17-402. Andre Blevens v. Director et al.
- E-17-403. James Dupont v. Director et al.
- E-17-404. Mid-Delta Community Services, Inc. v. Director et al.
- E-17-405. Scott Smith v. Director et al.
- E-17-406. Scott Smith v. Director et al.
- E-17-407. Sandra Grims v. Director et al.
- E-17-408. Shakeylla Allen v. Director et al.