

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MAY 30, 2018

RITA W. GRUBER, CHIEF JUDGE:

[CR-17-736](#). T.R. v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Harrison and Brown, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-18-113](#). Dylon Bartelli v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Virden and Whiteaker, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-17-944](#). Michael Jackson v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Abramson and Hixson, JJ., agree.

[CV-18-53](#). Jeff Clark v. Williamson G.C., Inc., and CNA Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Abramson and Hixson, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-17-757](#). Curtis Roberts v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Glover and Whiteaker, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CV-18-133](#). Tiffany Roland v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Affirmed; motion to withdraw granted. Gruber, C.J., and Brown, J., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-17-1029](#). Dana Marie Daniels v. State of Arkansas, from Miller County Circuit Court. Affirmed. Vaught and Murphy, JJ., agree.

[CV-17-320](#). Connie Cantrell v. Toyota Motor Corp., et al., from Pulaski County Circuit Court, Fifth Division. Reversed and remanded on direct appeal; affirmed on cross-appeal. Vaught and Murphy, JJ., agree.

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PHILLIP T. WHITEAKER, JUDGE:

[CR-17-759](#). Jess O’Neal Reese v. State of Arkansas, from Saline County Circuit Court. Affirmed. Gladwin and Glover, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-17-960](#). Dwight C. Jones v. Centennial Bank f/k/a Liberty Bank of Arkansas, from Yell County Circuit Court, Northern District. Reversed and remanded. Klappenbach and Murphy, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-17-687](#). Jeffrey Allen Wolfe v. State of Arkansas, from Yell County Circuit Court, Southern District. Affirmed. Abramson and Virden, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-17-883](#). Adrian Tyler Lee Ealy v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Klappenbach and Vaught, JJ., agree.

[CV-17-811](#). John E. Crum and Jane Crum v. Richard Paul Siems and Dorothy Siems, from Arkansas County Circuit Court, Northern District. Dismissed without prejudice. Klappenbach and Vaught, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-17-497](#). Jim A. Carter, Jr., Logging, LLC; and James A. Carter, Jr. v. First National Bank of Crossett, from Ashley County Circuit Court. Affirmed. Gruber, C.J., and Harrison, J., agree.

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PER CURIAM ORDERS

CR-17-812. Kevin Dunhoo v. State of Arkansas, from Poinsett County Circuit Court. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$1,800.00.

CR-17-955. Jared Wayne Jeffers v. State of Arkansas, from Ashley County Circuit Court. Appellant's motion to supplement the record and stay briefing schedule is granted. Writ issued; returnable in thirty days (June 29, 2018). Appellant's brief is due thirty days after the supplemental record is lodged.

CR-17-1050. Jamal D. Akram v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion to extend time to file supplemented record and stay briefing schedule is granted. Supplemental record is due in fourteen days (June 13, 2018). Appellant's brief is due fourteen days after the supplemental record is lodged.

CR-18-237. Jason Douglas Hensley v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to file belated brief and issue briefing schedule is moot.

CR-18-237. Jason Douglas Hensley v. State of Arkansas, from Faulkner County Circuit Court. Appellant's amended motion to file belated brief and issue briefing schedule is granted. Appellant's brief is due in thirty days (June 29, 2018).

CR-18-298. Michael Lee Sweeten v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to supplement the record is remanded to the circuit court to settle the record pursuant to Administrative Order No. 4(a). Supplemental record is due within thirty days (June 29, 2018). Appellant's brief is due thirty days after the supplemental record is lodged.

CV-17-280. Dashunda R. Johnson v. NPC International, Inc., d/b/a Pizza Hut, and Old Republic Insurance Company, from the Arkansas Workers' Compensation Commission. Appellant's pro se emergency motion to recall mandate is denied.

CV-17-280. Dashunda R. Johnson v. NPC International, Inc., d/b/a Pizza Hut, and Old Republic Insurance Company, from the Arkansas Workers' Compensation Commission. Appellant's second pro se emergency motion to recall mandate is denied.

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PER CURIAM ORDERS

CV-17-583. Mike Steeland v. Bobbie Jo Steeland, from Monroe County Circuit Court. Joint stipulation of parties to supplement the record is remanded to the circuit court to settle

the record within fifteen days (June 14, 2018). Any supplemental addendum may be filed fifteen days after the supplemental record is lodged.

CV-17-742. David Atherton v. Cynthia Atherton, from Saline County Circuit Court. Appellee's motion for attorney fees is denied.

CV-17-935. DFA, Inc. v. Gary Cole and Linda Cole, from Polk County Circuit Court. Appellees' memorandum motion to dismiss appeal is granted.

CV-17-935. DFA, Inc. v. Gary Cole and Linda Cole, from Polk County Circuit Court. Appellant's unopposed motion for extension of reply brief time is moot.

CV-17-1040. Larry Williams, Gregory Peck, Pete Netzel, and Netzel Joint Trust v. Bank of the Ozarks as the Trustee for the Registered Owners of the \$4,400,000.00 Benton County Property Owners' Improvement District No. 7 Special Assessment Bonds, from Benton County Circuit Court. Appellants' motion for extension to complete the substitution of parties and file opening brief is granted. Separate appellant Netzel Joint Trust's tendered brief filed this date.

CV-18-327. Hope Medical Park Hospital, LLC v. Carrie Y. Varner and Thomas Varner, from Hempstead County Circuit Court. Appellant's motion to dismiss appeal without prejudice for lack of finality is granted. Glover, J., not participating.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-16-1131. DWB, LLC, et al. v. D&T Pure Trust et al., from Pulaski County Circuit Court, Seventeenth Division.

CV-17-681. Kent Douglas McCoy v. Ronald D. Robertson, M.D.; Mario Rueda, M.D.; Christopher W. Fowler, D.O.; Mary Katherine Kimbrough, M.D.; John Does 1–3; and Jane Does 1–3, from Pulaski County Circuit Court, Fifth Division.

CV-17-796. Megan E. Jones v. Arkansas Local Police and Fire Retirement System, Board of Trustees, et al., from Pulaski County Circuit Court, Sixth Division.

CR-17-70. Jordan Navarr Williams v. State of Arkansas, from Hempstead County Circuit Court. Motion of Dana Stone for attorney fees.

CR-17-632. Rodney Rayburn v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Motion of Eric Moore to withdraw as appellate counsel.

CR-17-632. Rodney Rayburn v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Motion of Eric Moore for award of attorney’s fees.

CR-17-648. Richard Louis Bertrand v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney’s fee.

CR-18-316. Joshua Rigsby v. State of Arkansas, from Miller County Circuit Court. Appellant’s pro se motion for appointment of counsel.

CR-18-316. Joshua Rigsby v. State of Arkansas, from Miller County Circuit Court. Appellant’s pro se motion for extension of time to file pro se points.

CV-16-692. Terry Larue Wyatt v. Joyce Lorene Wyatt, from Faulkner County Circuit Court. Appellee’s motion for attorney’s fees.

CV-16-733. Terry Larue Wyatt v. Joyce Lorene Wyatt, from Faulkner County Circuit Court. Appellee’s motion for attorney’s fees.

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MOTIONS SUBMITTED

CV-17-488. Walter Farris v. Express Services, Inc., and New Hampshire Insurance Company, from the Arkansas Workers' Compensation Commission. Appellant's motion for costs and attorney's fees.

CV-17-827. Jim R. Nash v. Norma Nash, Individually and as Trustee of the Norma F. Nash Living Trust; John Nash, Jr., Individually and for Norma Nash, Deceased, as Co-trustee of the Norma F. Nash Living Trust, and as Co-administrator of the Norma Nash Estate; Pam Nash Glover, Individually and for Norma Nash, Deceased, as Co-trustee of the Norma F. Nash Living Trust, and as Co-administrator of the Norma Nash Estate; Susan Nash Lyle, Individually and for Norma Nash, Deceased; Perry Nash, Individually and for Norma Nash, Deceased; and Gaylen McClanahan, from Pulaski County Circuit Court, Second Division. Appellant's motion for oral argument.

CV-17-970. Gen-Kal Pipe & Steel Corporation and Eugene Kalsky v. M.S. Wholesale Plumbing, Inc., from Pope County Circuit Court. Appellants' motion to stay enforcement of judgment.

CV-17-992. Rhonda Canerday-Banks and Donald Banks v. David Barton, Rebecca Barton, Minor Child, and Arkansas Department of Human Services, from Pope County Circuit Court. Motion of separate appellees David Barton and Rebecca Barton adopting and incorporating ad litem's brief.

CV-17-992. Rhonda Canerday-Banks and Donald Banks v. David Barton, Rebecca Barton, Minor Child, and Arkansas Department of Human Services, from Pope County Circuit Court. Motion of separate appellees David Barton and Rebecca Barton to strike brief filed by Arkansas Department of Human Services.

CV-17-1040. Larry Williams, Gregory Peck, Pete Netzel, and Netzel Joint Trust v. Bank of the Ozarks as the Trustee for the Registered Owners of the \$4,400,000.00 Benton County Property Owners' Improvement District No. 7 Special Assessment Bonds, from Benton County Circuit Court. Motion for substitution of parties.

CV-18-117. Travis Johnston v. Virgil Jones and First Student, Inc., from Pulaski County Circuit Court, Sixth Division. Motion to be relieved as attorneys of record and stay of briefing schedule and to file brief and exhibits under seal.

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MOTIONS SUBMITTED

CV-18-203. Kevin Phillips v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Appellees' motion for extension of time to file brief and to stay the briefing schedule.

CV-18-423. Abdul Maalik Muhammad v. Danny Burl, from Jefferson County Circuit Court. Appellant's pro se motion for appointment of counsel.

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CASES SUBMITTED

CR-16-852. Fredrick Leon Wilson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CR-17-226. Reshord Demone Riley v. State of Arkansas, from Miller County Circuit Court.

CR-17-277. Don Michael Cox v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-17-715. Timmy Jester v. State of Arkansas, from Nevada County Circuit Court.

CR-17-720. Leslie Anna Crowell v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-17-753. William Terrance Anderson v. State of Arkansas, from Pulaski County Circuit Court, Ninth Division.

CR-17-789. Trentin R. Turner v. State of Arkansas, from Chicot County Circuit Court.

CR-17-841. Christopher Floyd Cloninger v. State of Arkansas, from Lincoln County Circuit Court.

CR-17-895. Alim Shakir Hakim v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-17-1077. Thomas Nathaniel Hartaway v. State of Arkansas, from Washington County Circuit Court.

CR-18-26. Alim Shakir Hakim v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-18-31. Doriane Clentail Norton v. State of Arkansas, from Miller County Circuit Court.

CR-18-43. Quinton Rashad Brown v. State of Arkansas, from Lafayette County Circuit Court.

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CASES SUBMITTED

CR-18-54. Thomas Hank Leaks v. State of Arkansas, from Miller County Circuit Court.

CR-18-258. Traevaughn Richard v. State of Arkansas, from Miller County Circuit Court.

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

CV-18-25. Ryan Bryant v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eighth Division.

CV-18-131. Angelica Rylie v. Arkansas Department of Human Services and Minor Child, from Saline County Circuit Court.

CV-18-178. Holli Ward v. Arkansas Department of Human Services and Minor Child, from Greene County Circuit Court.

CV-18-197. Stephanie McHenry v. Arkansas Department of Human Services and Minor Children, from Union County Circuit Court.

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

E-18-70. Lisa Freshler v. Director et al.

E-18-71. Melissa Caple v. Director et al.

E-18-72. Juan Marcos Garcia Peguero v. Director et al.

E-18-73. Kimmie Walter v. Director et al.

E-18-74. Shanda Cisero v. Director et al.

E-18-75. Donna Mathews v. Director et al.

E-18-76. Leona Harlow v. Director et al.

E-18-77. Sharon Patrick v. Director et al.

E-18-79. Kenneth Jones Garage v. Director et al.

E-18-80. Teresa Johnson v. Director et al.

E-18-81. Brandon Flanery v. Director et al.

E-18-82. Mildred Gray v. Director et al.

Opinions are available on the internet at

<http://courts.arkansas.gov>