

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JULY 18, 2018

PER CURIAM ORDERS

REHEARINGS DENIED: Petitions for rehearing were denied today in the following cases.

CR-17-944. Michael Jackson v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District.

CV-16-83. Carolyn Lawson v. Simmons Sporting Goods, Inc., from Ashley County Circuit Court.

CV-17-60. James Tony Hollis v. National Office of the NAACP, National Association for the Advancement of Colored People, State Conference President Dale Chales, and Local Unit 6020 Officers James Welspom, Dorothy Daniels, and Mary Sue Jeffers, from Mississippi County Circuit Court, Chickasawba District.

CV-17-104. Evelyn Chism and James Gregory Chism v. James R. Chism, from Conway County Circuit Court. Virden and Harrison, JJ., not participating.

CV-17-320. Connie Cantrell v. Toyota Motor Corp. et al., from Pulaski County Circuit Court, Fifth Division. Gruber, C.J., not participating.

CV-17-717. W.N. v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Fifth Division. Gruber, C.J., and Gladwin, Vaught, and Murphy, JJ., not participating.

CV-17-935. DFA, Inc. v. Gary Cole and Linda Cole, from Polk County Circuit Court.

CV-17-960. Dwight C. Jones v. Centennial Bank f/k/a Liberty Bank of Arkansas, from Yell County Circuit Court, Northern District. Gladwin and Harrison, JJ., not participating.

CV-17-1072. R.W. Distributors, Inc. v. Texarkana Tractor Company, from Pulaski County Circuit Court, Seventeenth Division.

CV-18-62. Agility Financial Credit Union v. Gayla Largent and Western Arkansas Title Services, LLC, from Sebastian County Circuit Court, Fort Smith District. Virden, J., not participating.

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CR-17-25. James Edward Crippen v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fee and expenses is granted. Allowed \$1,600.00. Glover, J., not participating.

CR-17-46. Daniel Lynn Honey v. State of Arkansas, from Logan County Circuit Court, Northern District. Motion of Robert E. Hodge III for attorney's fees pursuant to Arkansas Supreme Court Rule 6-6(d) is granted. Allowed \$1,800.00.

CR-17-736. T.R. v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$1,800.00.

CR-17-757. Curtis Roberts 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-17-774. Patrick Lee McElroy v. State of Arkansas, from Garland County Circuit Court. Motion of William Whitfield Hyman for costs and attorney fees is granted. Allowed \$1,800.00.

CR-17-774. Patrick Lee McElroy v. State of Arkansas, from Garland County Circuit Court. Motion of William Whitfield Hyman to be relieved as appellate counsel is granted.

CR-17-781. Jonathan Scott Trotter v. State of Arkansas, from Hempstead County Circuit Court. Motion of Anthony S. Biddle for attorney fees is granted. Allowed \$1,800.00.

CR-17-870. Nathan C. Longeway v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion of Brett D. Watson for attorney fees is granted. Allowed \$1,800.00. Harrison, J., not participating.

CR-17-956. Kevin Dangiolo Perry v. State of Arkansas, from Faulkner County Circuit Court. Motion of Brian G. Brooks for attorney fees is granted. Allowed \$975.00.

CR-17-974. Andre Lockheart-Singleton v. State of Arkansas, from Pope County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees and costs is granted. Allowed \$1,800.00.

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CR-17-985. Robert Jamar Fields v. State of Arkansas, from Union County Circuit Court. Appellant's motion to supplement the record is granted. Writ issued; returnable in thirty days (August 17, 2018). Klappenbach, J., not participating.

CR-17-1013. Charles Nelson, Jr. v. State of Arkansas, from Clark County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees is granted. Allowed \$1,800.00.

CR-17-1029. Dana Marie Daniels v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for attorney fees and costs is granted. Allowed \$1,800.00.

CR-17-1074. Ralph A. King v. State of Arkansas, from Ashley County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$1,800.00.

CR-18-16. Calvin Damond Blair v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Appellant's pro se motion for appeal is denied.

CR-18-44. Dameion Williams v. State of Arkansas, from Pope County Circuit Court. Appellant's motion to file substituted appellant's brief and additional time to file paper briefs is granted.

CR-18-74. Robert Glenn Brown v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Resubmission of appellant's motion to substitute counsel and for brief time is granted. Clint Miller is relieved as counsel. Appellant's brief is due in forty days (August 27, 2018).

CR-18-74. Robert Glenn Brown v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's status report is accepted.

CR-18-88. Christopher Parker v. State of Arkansas, from Garland County Circuit Court. Motion of Tamra Barrett to withdraw as attorney on direct appeal or in the alternative a final extension of 45 days is denied. Appellant's brief is due in forty-five days (September 1, 2018). Final extension.

CR-18-471. Melissa Peeks v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion of Clint Miller to be relieved as appellant's counsel is granted. Appeal dismissed.

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CR-18-489. Ashton Clark v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Motion of Dustin H. Jones to relieve attorney of record and appoint counsel for appeal is granted. Tim Cullen is appointed to represent the appellant. Appellant's brief is due in forty days (August 27, 2018).

CR-18-500. Roderick Montgomery v. State of Arkansas, from Ashley County Circuit Court. Motion of Garfield W. Bloodman to be relieved is moot.

CR-18-500. Roderick Montgomery v. State of Arkansas, from Ashley County Circuit Court. Amended motion of Garfield W. Bloodman to be relieved is granted. Benjamin Motal is appointed to represent the appellant. Appellant's brief is due in forty days (August 27, 2018).

CR-18-506. Colby Cole Bullington v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Shannon Foster to withdraw is granted.

CR-18-506. Colby Cole Bullington v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Ernie Woodard to withdraw as attorney on direct appeal is granted. Dusti Standridge is appointed to represent the appellant. Appellant's brief is due in forty days (August 27, 2018).

CR-18-508. Roderick Montgomery v. State of Arkansas, from Drew County Circuit Court. Motion of Garfield W. Bloodman to be relieved is granted. Benjamin Motal is appointed to represent the appellant. Appellant's brief is due in forty days (August 27, 2018).

CR-18-542. Victor Hugo Alvarez-Real v. State of Arkansas, from Washington County Circuit Court. Motion of Peter Giardino to substitute counsel for appellant is granted. Appellant's brief is due in forty days (August 27, 2018).

CR-18-542. Victor Hugo Alvarez-Real v. State of Arkansas, from Washington County Circuit Court. Motion of Kimberly R. Weber for leave to withdraw is granted.

CV-16-739. Farm Credit Midsouth, PCA v. Fred Bollinger, Jr.; Bollinger Lone Oak, Inc.; and Bollinger Partners, Inc., from Crittenden County Circuit Court. Appellant's motion to recalculate appeal costs is denied. Harrison, J., not participating.

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CV-17-150. William K. McDaniel, Jr. v. Judith H. McDaniel, from Pulaski County Circuit Court, Seventeenth Division. Appellant's pro se motion for extension of time to reply is moot.

CV-17-236. Adriana Wilhelm v. Greg Wilhelm, from Washington County Circuit Court. Appellee's motion to release funds is moot. Vaught, J., not participating.

CV-17-236. Adriana Wilhelm v. Greg Wilhelm, from Washington County Circuit Court. Appellee's amended motion to release funds is granted. Vaught, J., not participating.

CV-17-280. Dashunda 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 motion to recall mandate VI is denied.

CV-17-280. Dashunda 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 motion to reconsider recall mandate VI is denied.

CV-17-280. Dashunda 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 motion pursuant to Ark. R. Civ. P. 55(c) setting aside default judgments is denied.

CV-17-583. Mike Steeland v. Bobbie Jo Steeland, from Monroe County Circuit Court. Joint motion for extension of time to submit order settling the record is granted.

CV-17-844. Jason Reynolds v. Stacy Reynolds (now Thomas), from Garland County Circuit Court. Appellant's motion for extension of time to tender supplemental record is denied. Supplemental record is due in thirty days (August 17, 2018).

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 portions of appellants' reply is passed until the case is submitted.

CV-17-1040. Larry Williams, Gregory Peck, and Pete Netzel 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 clarification is passed for consideration of a

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modified motion for substitution of parties. Motion for extension of time is granted to August 15, 2018.

CV-17-1042. Brian Newton v. Rebecca Newton, from Saline County Circuit Court. Appellant's motion to file supplemental abstract and for extension of time to file reply brief is granted. Reply brief is due in fifteen days (August 2, 2018). Harrison, J., not participating.

CV-18-17. Vicki Kline v. PHH Mortgage Corporation, from Benton County Circuit Court. Appellant's status report is accepted.

CV-18-17. Vicki Kline v. PHH Mortgage Corporation, from Benton County Circuit Court. Appellant's notice of filing and motion for new scheduling order is granted. Appellant's brief is due in forty days (August 27, 2018).

CV-18-98. Christopher Lancaster and Laura Lancaster v. Arkansas Department of Human Services and Minor Children, from Clay County Circuit Court, Western District. Second joint motion of appellees to remand to supplement the record and to stay the briefing schedule is granted. Remanded to settle the record within fifteen days (August 2, 2018). Appellants' substituted brief is due fifteen days after the supplemental record is lodged.

CV-18-152. Wal-Mart Associates, Inc., and Claims Management, Inc. v. Regina C. Skelton, from the Arkansas Workers' Compensation Commission. Appellants' motion to dismiss appeal is granted. Gruber, C.J., and Abramson and Harrison, JJ., not participating.

CV-18-217. Tabitha Loving v. Shawn Loving, from Baxter County Circuit Court. Joint motion to supplement the record is granted. Appellant's brief is due in thirty days (August 17, 2018).

CV-18-253. Denise Bambico v. Ouachita Industries, Inc., from Ouachita County Circuit Court. Appellee's motion to strike appellant's brief is passed until the case is submitted. Klappenbach, J., not participating.

CV-18-277. Julie Henderling v. Arkansas Department of Human Services and Minor Child, from Crawford County Circuit Court. Motion of Glen Hoggard to be relieved as attorney of record and motion to stay briefing schedule is granted. Appellant's brief is due in thirty days (August 17, 2018).

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CV-18-283. Wilson S. Clark, by and through his Attorney in Fact, Jason Clark, under Durable Power of Attorney executed by Wilson S. Clark, under date of October 24, 2011 v. Jimmy H. Eubanks and Marsha A. Eubanks, Husband and Wife, from Madison County Circuit Court. Appellees' motion to strike the appellant's brief is denied. Gladwin, J., not participating.

CV-18-283. Wilson S. Clark, by and through his Attorney in Fact, Jason Clark, under Durable Power of Attorney executed by Wilson S. Clark, under date of October 24, 2011 v. Jimmy H. Eubanks and Marsha A. Eubanks, Husband and Wife, from Madison County Circuit Court. Appellant's motion to file amended appellant's brief is granted. Gladwin, J., not participating.

CV-18-300. Robert E. Bamburg v. Joan R. Zumwalt and Lisa J. Bamburg, Individually and on Behalf of Minor Children, from Pulaski County Circuit Court, Ninth Division. Appellant's motion for extension of time and to supplement the record is granted. Writ issued; returnable in thirty days (August 17, 2018). Appellant's brief is due thirty days after the supplemental record is lodged. Gruber, C.J., and Abramson and Glover, JJ., not participating.

CV-18-304. Ashley Cordell v. Joshua Cordell, from Baxter County Circuit Court. Appellee's motion to place transcripts, appellant's brief and abstract under seal and for protective order is denied. Gruber, C.J., and Glover, J., would grant.

CV-18-344. Delmar Management, Inc. v. George Mackey, from Faulkner County Circuit Court. Appellee's motion for belated filing and motion for extension of time is granted. Virden, J., not participating.

CV-18-354. Gary Phillips v. De Lage Landen Financial Services Company, from Mississippi County Circuit Court, Chickasawba District. Appellee's motion to dismiss is passed until the case is submitted.

CV-18-357. Charles Elliott v. Arkansas Department of Human Services and Minor Child, from Columbia County Circuit Court. Appellees' motion to stay briefing schedule and remand to circuit court to settle record is granted. Remanded to settle the record within fifteen days (August 2, 2018). Appellant's amended brief may be filed within fifteen days of the filing of the supplemental record. Klappenbach, J., not participating.

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CV-18-378. Christopher T. Raymond v. Linda K. Kuhns (f/k/a Raymond), from Pulaski County Circuit Court, Seventeenth Division. Appellee's motion to dismiss appeal is denied. Murphy, J., not participating.

CV-18-387. James R. Carvill v. Lloyd W. Kitchens, from Pulaski County Circuit Court, Fifth Division. Appellee's motion to dismiss appeal is denied. Appellant's brief is due in thirty days (August 17, 2018). Gruber, C.J., not participating.

CV-18-397. Vivian S. Howard v. Sarah Howard Jenkins, from Jefferson County Circuit Court. Appellee's motion to dismiss appeal is denied. Harrison, J., not participating.

CV-18-397. Vivian S. Howard v. Sarah Howard Jenkins, from Jefferson County Circuit Court. Appellee's motion for accelerated briefing schedule and expedited consideration is denied. Harrison, J., not participating.

CV-18-397. Vivian S. Howard v. Sarah Howard Jenkins, from Jefferson County Circuit Court. Appellant's motion to accept late filed motion responses is granted. Harrison, J., not participating.

CV-18-452. Roy Tuccillo v. Adkins & Associates, Inc., from Pope County Circuit Court. Appellee's motion to dismiss appeal is passed until the case is submitted. Harrison, J., not participating.

E-18-179. Dax Phillips v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion for belated appeal is denied.