

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 17, 2018

RITA W. GRUBER, CHIEF JUDGE:

[CV-17-843](#). Anderson-Tully Company v. Patricia Scales Vaden and James Michael Moncrief, from Desha County Circuit Court, Southern District. Appeal dismissed without prejudice. Brown, J., agrees. Whiteaker, J., concurs.

RAYMOND R. ABRAMSON, JUDGE:

[CR-18-359](#). Paul Gilton v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Gladwin and Murphy, JJ., agree.

[CV-17-1082](#). Rick Doss v. Jennifer Doss, from Fulton County Circuit Court. Affirmed. Gladwin and Murphy, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-18-353](#). Jamie Taff v. State of Arkansas, from Montgomery County Circuit Court. Reversed and remanded. Abramson and Murphy, JJ., agree.

[CV-18-82](#). Ricky Lee Craig v. Cheryl Craig, Jasen McDaniel, and Jacob Crawford Craig, from Garland County Circuit Court. Affirmed in part; reversed and remanded in part. Abramson and Murphy, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CV-17-771](#). Lynn B. Hargis v. Allen Hargis, from Garland County Circuit Court. Reversed and remanded. Abramson, Virden, and Murphy, JJ., agree. Gladwin and Klappenbach, JJ., dissent.

[CV-18-530](#). Andrea Day v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Virden and Klappenbach, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CR-18-244](#). David Anson Alandt v. State of Arkansas, from Saline County Circuit Court. Dismissed. Vaught and Hixson, JJ., agree.

[CV-18-147](#). Felecia Davenport v. Wal-Mart Stores, Inc., and CMI Claims Management, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Vaught and Hixson, JJ., agree.

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PHILLIP T. WHITEAKER, JUDGE:

[CR-17-665](#). Dermarius Parsha Blanks v. State of Arkansas, from Drew County Circuit Court. Affirmed. Gruber, C.J., and Brown, J., agree.

LARRY D. VAUGHT, JUDGE:

[CR-18-349](#). David A. Vines v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Glover and Hixson, JJ., agree.

[CV-17-1002](#). Washington Regional Medical Center v. Northwest Physicians, LLC, and Shaun Senter, M.D., from Washington County Circuit Court. Affirmed. Glover and Hixson, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-18-38](#). Jason Michael Hoyle v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Glover and Vaught, JJ., agree.

[CV-17-1021](#). Sameer Fares v. Kifah Fares, from Pulaski County Circuit Court, Sixteenth Division. Affirmed. Glover and Vaught, JJ., agree.

MIKE MURPHY, JUDGE:

[CV-18-532](#). Derrick Hunter v. Arkansas Department of Human Services and Minor Child, from Columbia County Circuit Court. Affirmed. Abramson and Gladwin, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-18-44](#). Dameion Williams v. State of Arkansas, from Pope County Circuit Court. Rebriefing ordered. Gruber, C.J., and Whiteaker, J., 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-18-146. Rhonda Wells v. Director et al.

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- E-18-147. Sharon Moss v. Director et al.
- E-18-148. Trenyadis Gibbs v. Director et al.
- E-18-149. Timothy Carls v. Director et al.
- E-18-150. Martha Anglin v. Director et al.
- E-18-151. Chico Childs v. Director et al.
- E-18-152. Carla Johnson v. Director et al.
- E-18-153. Cynthia Pulley v. Director et al.
- E-18-154. Cynthia Pulley v. Director et al.
- E-18-155. William Hopper v. Director et al.
- E-18-156. Randal McAlister v. Director et al.
- E-18-157. Eric Hanson v. Director et al.

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PER CURIAM ORDERS

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

CV-18-77. Prescott School District v. Patricia Marie Steed, from Nevada County Circuit Court.

CR-17-226. Reshord Demone Riley v. State of Arkansas, from Miller County Circuit Court. Motion of Joseph C. Self for payment of fees is denied.

CR-17-685. Anfernee Wells v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Motion of Meagan Burns for attorney fees and expenses is granted. Allowed \$1,800.00.

CR-17-687. Jeffrey Allen Wolfe v. State of Arkansas, from Yell County Circuit Court, Southern District. Motion of Eric Moore to withdraw as appellate counsel is granted. Harrison, J., not participating.

CR-17-772. Ryan James Kirkland v. State of Arkansas, from Washington County Circuit Court. Motion of Mylissia M. Blankenship for attorney's fees is granted. Allowed \$1,800.00.

CR-17-895. Alim Shakir Hakim v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for permission to file points for reversal belatedly is denied.

CR-17-926. Douglas Alan Anderson v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Jack Burns for attorney fees and expenses is granted. Allowed \$1,800.00.

CR-18-104. Christopher Deshun Warren v. State of Arkansas, from Lonoke County Circuit Court. Motion of Sharon Kiel for award of attorney's fees is granted. Allowed \$1,800.00.

CR-18-546. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court. Appellant's pro se motion to compel is denied. Klappenbach, J., not participating.

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CR-18-546. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court. Appellant's pro se motion for extension of time to file brief is denied. Klappenbach, J., not participating.

CR-18-546. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court. Appellant's pro se motion for evidentiary hearing is denied. Klappenbach, J., not participating.

CR-18-546. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court. Appellant's pro se motion for new scientific testing is denied. Klappenbach, J., not participating.

CV-17-776. Brenda Evans v. The Estate of George Henry Fritsche, Deceased; Glen D. Fritsche; Audrey L. Leftwich; Ken L. Fritsche; Elaine K. Jones; David R. Fritsche; Fritsche, Inc.; Estate of Luther O. Evans, Deceased, by and through his Executor, Larry Evans; Raymond Joe Evans and Jerry Neil Evans d/b/a Northwest Amusement Company, Inc.; Vonda Evans; and Diane Evans, from Logan County Circuit Court, Southern District. Joint motion to dismiss is granted.

CV-18-277. Julie Henderling v. Arkansas Department of Human Services and Minor Child, from Crawford County Circuit Court. Appellant's pro se motion for leave to file non-conforming brief is denied.

CV-18-484. Mia Ellington v. Bernard Ellington, from Pulaski County Circuit Court, Sixth Division. Appellant's withdrawal of motion to supplement the record is moot.

CV-18-484. Mia Ellington v. Bernard Ellington, from Pulaski County Circuit Court, Sixth Division. Appellant's withdrawal of withdrawal of motion to supplement the record is granted.

CV-18-557. Daniel Montez v. Consuela Montez (now Trujillo), from Washington County Circuit Court. Appellee's pro se motion for permission to file brief is granted.

CV-18-557. Daniel Montez v. Consuela Montez (now Trujillo), from Washington County Circuit Court. Motion of Elizabeth Finocchi to correct the docket is granted.

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CV-18-607. Mary Katherine Myers, Widow and Administratrix of the Estate of Michael Earl Myers, Deceased v. Arkansas Steel Associates, LLC; Employers Insurance Company of Wausau; Liberty Mutual Group, TPA; Yamato Kogyo Company, LTD; Sumitomo Corporation; Sumitomo Corporation of Americas d/b/a Sumitomo Corporation of America; SC Steel Investment, Inc.; SC Steel Investment, LLC; Yamato Kogyo (U.S.A.) Corporation; Yamato Kogyo America, Inc., from the Arkansas Workers' Compensation Commission. Appellant's unopposed combined motion to remand to correct the record or petition for certiorari to complete the record, and motion to extend time or stay the briefing schedule is granted. Virden and Glover, JJ., not participating.

CV-18-769. Chelsi Isbell and Janet Nicholas v. Arkansas Department of Human Services and Minor Child, from Logan County Circuit Court, Southern District. Motion of separate appellant Janet Nicholas to incorporate record on appeal from docket number CV-18-266 with the record in this appeal is denied.

CV-18-786. Tyrome Hurst, Special Administrator of the Estate of Deshun Lamont Hurst v. David Palmer d/b/a Palmer Trucking, Hurlee Palmer, Travis Parell Coleman, and Riceland Foods, Inc., from Crittenden County Circuit Court. Appellant's motion to supplement the record on appeal is granted. Harrison, J., not participating.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-18-85. Sergio Garza v. State of Arkansas, from Montgomery County Circuit Court.

CV-17-327. Davis Nursing Association d/b/a Davis Life Care Center v. Gracie Neal, as Personal Representative of the Estate of Johnny Newborn and on Behalf of the Wrongful Death Beneficiaries of Johnny Newborn, from Jefferson County Circuit Court.

CV-17-878. Meranda Martin, Successor Special Administratrix of the Estate of Virgil Brown, Jr., Deceased v. Dr. Leslie Smith, from Pulaski County Circuit Court, Seventeenth Division.

CV-17-1001. Jason Buskirk v. December Buskirk (now Melton), from Washington County Circuit Court.

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; and John Doe Defendants 1–10 v. Mabel Keller Cook, from Pulaski County Circuit Court, Sixth Division.

CV-18-261. Katia Gelyukh Colston v. Walter Jackson Williams, from Washington County Circuit Court.

CR-17-559. Herschel L. Brigance v. State of Arkansas, from Faulkner County Circuit Court. Motion for release of exhibits.

CR-18-210. Richard James Laquerre v. State of Arkansas, from Garland County Circuit Court. Appellant’s pro se motion for extension of time to file brief.

CR-18-429. Steven Leroy Swanigan v. State of Arkansas, from Garland County Circuit Court. Appellant’s motion for leave to file an enlarged brief.

CR-18-429. Steven Leroy Swanigan v. State of Arkansas, from Garland County Circuit Court. Appellant’s motion for extension of brief time.

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MOTIONS SUBMITTED

CR-18-447. A.J. Bradford Lunsford, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Appellant's motion for leave to file belated brief.

CR-18-729. Tereginald Wallace v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for extension of time.

CR-18-837. Casey Lynn Reynolds v. State of Arkansas, from White County Circuit Court. Motion to substitute counsel.

CR-18-837. Casey Lynn Reynolds v. State of Arkansas, from White County Circuit Court. Motion of John Wesley Hall to be relieved.

CV-17-727. (In the Matter of the Hamilton Living Trust Dated September 22, 2003) Larry Hamilton v. Bank of the Ozarks, from Pulaski County Circuit Court, Fifteenth Division. Appellant's pro se motion to extend time to file brief.

CV-17-862. J. David John v. Martin Faitak, Ph.D., from Washington County Circuit Court. Appellant's motion to accept supplemental abstract and addendum.

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; and John Doe Defendants 1-10 v. Mabel Keller Cook, from Pulaski County Circuit Court, Sixth Division. Appellee's motion to substitute party.

CV-18-13. Donna J. Milde Bennett, as Special Administratrix for Leslie Leon Bennett, Individually and on Behalf of all Heirs and Beneficiaries of Leslie Leon Bennett v. Graves & Associates, Inc.; John Does 1-5; and Mobley Contractors, Inc., from Lincoln County Circuit Court. Motion for continuance of oral argument.

CV-18-423. Abdul Maalik Muhammad v. Danny Burl, from Jefferson County Circuit Court. Appellant's pro se motion for extension of time to file corrected brief.

CV-18-452. Roy Tuccillo v. Adkins & Associates, Inc., from Pope County Circuit Court. Appellant's motion for extension of time to file reply brief.

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MOTIONS SUBMITTED

CV-18-702. 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 v. Cassaundra Holmes, Individually and as Trustee of the Betty L. Potter Revocable Trust Established September 10, 2004; Thomas Wright; and Kevin Wright, from Scott County Circuit Court. Motion of separate appellee Cassaundra Holmes to dismiss appeal due to lack of final orders.

CV-18-710. T.S.B., a Minor v. Elizabeth A. Robinson; Christopher Cook, Father; Tammy A. Robinson (now Wright), Mother; and B.R.C., Minor Child, from Garland County Circuit Court. Appellant's motion for augmented addendum.

CV-18-787. Phillip Granville Pace v. Jill Coburn Pace, from Miller County Circuit Court. Motion of Fredye Long Alford for withdrawal of counsel.

E-18-171. Danny C. Bugg v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file non-conforming brief.

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CASES SUBMITTED

CR-18-233. Alberto Damien Chavez v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Orally argued.

CR-18-347. Larry David Davis v. State of Arkansas, from Clark County Circuit Court.

CR-18-352. Joseph Makinson v. State of Arkansas, from Crawford County Circuit Court.

CR-18-358. Tabitha Young v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-18-394. Duan Harris v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District.

CR-18-527. James Moore, Jr. v. State of Arkansas, from Lafayette County Circuit Court.

CV-17-292. Hankook Tire Co., LTD; and Hankook Tire America Corp., a Subsidiary of Hankook Tire Co., LTD; Kenneth R. Hedrick d/b/a Hedrick Trucking; Bayou Ridge Transport, Inc.; Still Kick'n, Inc.; and Tommy New v. Elmer Philpot, from Conway County Circuit Court.

CV-17-1042. Brian Newton v. Rebecca Newton, from Saline County Circuit Court.

CV-18-56. Supha Xayprasith-Mays v. William R. Wallace, from Benton County Circuit Court.

CV-18-72. Sean Collier and Kim Collier v. Garland Gilmore and Lesha Prater, from Lawrence County Circuit Court.

CV-18-75. Amber Robinson, as Parent and Next Friend of B.R., a Minor v. James Willis and Marion Starks, from Pulaski County Circuit Court, Ninth Division.

CV-18-168. Tarrence Rawls v. Brandi Yarberry-Rawls, from Pulaski County Circuit Court, Third Division.

CV-18-212. Travis Thomas v. Phyllis Robinson and Sylvester Robinson, from Jefferson County Circuit Court.

CV-18-304. Ashley Cordell v. Joshua Cordell, from Baxter County Circuit Court.

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CASES SUBMITTED

CV-18-357. Charles Elliott v. Arkansas Department of Human Services and Minor Child, from Columbia County Circuit Court.

CV-18-374. Ethel Love v. Adrienne O’Neal, from Pulaski County Circuit Court, Sixth Division.

CV-18-580. Patricia Lopez v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

CV-18-584. Tabatha Black v. Arkansas Department of Human Services and Minor Child, from Scott County Circuit Court.

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

E-18-170. Cody Key v. Director et al.

E-18-172. Jarrell Wilson v. Director et al.

E-18-173. Christine Warwick v. Director et al.

E-18-174. Barbar Denson v. Director et al.

E-18-175. Adrienne Pierce v. Director et al.

E-18-176. Vanessa Cothrine v. Director et al.

E-18-177. Victoria Keith v. Director et al.

E-18-178. Walter Dunn v. Director et al.

E-18-180. Kathryn Merget v. Director et al.

E-18-181. Debra Baker v. Director et al.

E-18-182. Latonya Sanders v. Director et al.

E-18-183. D’Angelo Stitt v. Director et al.