

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 31, 2018

RITA W. GRUBER, CHIEF JUDGE:

[CR-18-527](#). James Moore, Jr. v. State of Arkansas, from Lafayette County Circuit Court. Affirmed. Glover and Murphy, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-18-358](#). Tabitha Latrice Young v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Harrison and Brown, JJ., agree.

[CV-18-584](#). Tabatha Black v. Arkansas Department of Human Services and Minor Child, from Scott County Circuit Court. Affirmed. Harrison and Brown, JJ., agree.

BART F. VIRDEN, JUDGE:

[CV-18-103](#). Melanie Fischer (Jaskiewicz) v. Michael Fischer, from Saline County Circuit Court. Affirmed. Harrison and Klappenbach, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-18-394](#). Duan Jamal Harris v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Virden and Vaught, JJ., agree.

[CV-18-304](#). Ashley Cordell v. Joshua Cordell, from Baxter County Circuit Court. Affirmed. Virden and Vaught, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-18-108](#). Commercial Fitness Concepts, LLC v. WGL, LLC, from Benton County Circuit Court. Reversed and dismissed. Gruber, C.J., and Murphy, J., agree.

LARRY D. VAUGHT, JUDGE:

[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. Affirmed. Gruber, C.J., and Whiteaker and Brown, JJ., agree. Glover and Hixson, JJ., dissent.

[CV-17-1042](#). Brian Newton v. Rebecca Newton, from Saline County Circuit Court. Reversed and remanded. Virden and Gladwin, JJ., agree.

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LARRY D. VAUGHT, JUDGE: (Continued)

[CV-18-357](#). Charles Elliott v. Arkansas Department of Human Services and Minor Child, from Columbia County Circuit Court. Affirmed. Virden and Gladwin, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-18-233](#). Alberto Damien Chavez v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Klappenbach and Whiteaker, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-18-215](#). Phillip Herren v. State of Arkansas, from Cleveland County Circuit Court. Reversed and remanded. Abramson and Gladwin, JJ., agree.

[CV-18-35](#). (In the Matter of the Guardianship of A.B., S.O., and R.O., Minors) Bobby Brewer and Jo Ann Brewer v. Donna Renee Bair-Massey, from Sharp County Circuit Court. Affirmed; motion for costs granted. Gruber, C.J., and Glover, J., agree.

[CV-18-67](#). C.D. Andreasen and Kathleen Andreasen v. South Mountain Estates Property Owners Association et al., from Benton County Circuit Court. Affirmed. Gruber, C.J., agrees. Glover, J., concurs.

WAYMOND M. BROWN, JUDGE:

[CV-18-56](#). Supha Xayprasith-Mays v. William R. Wallace, from Benton County Circuit Court. Appeal dismissed without prejudice. Abramson and Harrison, JJ., agree.

[CV-18-580](#). Patricia Lopez v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Abramson and Harrison, 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-18-170. Cody Key v. Director et al.

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

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

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

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

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

E-18-178. 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.

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PER CURIAM ORDERS

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

CV-17-384. Joseph Roberson and Tawny Roberson v. James Roberson, from Boone County Circuit Court.

CV-17-529. Dean Goodson v. Sharon Bennett, from Pulaski County Circuit Court, Seventh Division. Gruber, C.J., and Murphy, J., not participating.

CV-17-658. First Government Lease Company and Paul Graver v. Northwest Scott County Volunteer Fire Department, from Scott County Circuit Court. Virden, J., not participating.

E-18-127. Eddy Arnold v. Director et al., from the Arkansas Board of Review.

CR-17-574. Charles R. Davis v. State of Arkansas, from Poinsett County Circuit Court. Motion of Brett D. Watson for attorney fees is granted. Allowed \$1,800.00. Harrison, J., not participating.

CR-17-728. Gregory Rose v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Motion of Dusti Standridge for attorney's fees and expenses is granted. Allowed \$1,800.00.

CR-17-1033. Philip Frederic v. State of Arkansas, from Faulkner County Circuit Court. Motion of Charles D. Hancock for award of attorney's fees is granted. Allowed \$1,800.00.

CR-18-127. Zebarious Hawkins v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Motion of John H. Bradley for attorney fees is granted. Allowed \$1,800.00.

CR-18-470. Mark Anthony Cross v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Motion of John H. Bradley for attorney fees is granted. Allowed \$1,800.00.

CR-18-762. Freddie Lee Jones v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for discovery is denied.

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PER CURIAM ORDERS

CR-18-830. Dylan Johnson v. State of Arkansas, from Ouachita County Circuit Court. Motion of Daren J. Nelson to withdraw as attorney on direct appeal is granted. Jessica Yarbrough is appointed to represent the appellant. Appellant's brief is due in forty days (December 10, 2018). Klappenbach, J., not participating.

CV-18-46. D&T Pure Trust; Mayflower R.V., Inc.; and Toni Len Boydston, Individually and as Personal Representative of the Estate of Lendell Douglas Boydston v. DWB, LLC d/b/a Mayflower RV Sales and Service; and Danny Brown, from Crawford County Circuit Court. Appellants' motion to consolidate cases is denied.

CV-18-301. Five Forks Hunting Club, LLC v. Nixon Family Partnership, from Arkansas County Circuit Court, Northern District. Appellee's motion to strike new argument from reply brief is denied. Harrison, J., not participating.

CV-18-708. Cameron Davis Cole v. Arkansas Lamp Manufacturing Company and Accident Fund Insurance Company, from the Arkansas Workers' Compensation Commission. Appellees' motion to dismiss is granted. Harrison, J., not participating.

CV-18-708. Cameron Davis Cole v. Arkansas Lamp Manufacturing Company and Accident Fund Insurance Company, from the Arkansas Workers' Compensation Commission. Appellant's pro se motion to file belated brief is denied. Harrison, J., not participating.

CV-18-719. Jessica Drummond v. Nicholas Baureis, from Faulkner County Circuit Court. Appellant's motion to modify the record. Appeal dismissed without prejudice.

CV-18-802. DWB, LLC d/b/a Mayflower RV Sales and Service; and Danny Brown v. D&T Pure Trust; Mayflower R.V., Inc.; and Toni Len Boydston, Individually and as Personal Representative of the Estate of Lendell Douglas Boydston, from Hot Spring County Circuit Court. Appellees' motion to consolidate cases is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-16-941. Joseph Thomas Lacefield v. State of Arkansas, from Benton County Circuit Court.

CR-18-112. Neal Allen Hall v. State of Arkansas, from Garland County Circuit Court.

CV-16-903. Connie Watkins and Richard Watkins v. Arkansas Department of Agriculture, Arkansas State Board of Licensure for Professional Engineers and Professional Surveyors, Arkansas Division of Land Surveys; Bradley P. Hancock Surveying and Mapping; and in Their Individual Capacities: Everett Rowland, Brandon Robinson, Steve Haralson, James Atchley, Ronald Hawkins, H. James Engstrom, Nora Moses, Robert D. Holloway, and Bradley P. Hancock, from Pulaski County Circuit Court, Sixth Division.

CV-18-92. National Park Community College and Public Employee Claims Division v. Melinda Castaneda, from the Arkansas Workers' Compensation Commission.

CR-16-721. Edward Darnell Rogers v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion of Sharon Kiel for award of attorney's fees.

CR-17-894. Alim Shakir Hakim v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of David L. Dunagin for attorney's fee.

CR-17-952. Cody Lamar Hall v. State of Arkansas, from Garland County Circuit Court. Motion of Brian G. Brooks for attorney fees.

CR-17-1080. Ronald Allan Lewis v. State of Arkansas, from Benton County Circuit Court. Appellee's motion to strike appellant's new and changed subpoints.

CR-18-59. Steven Ray Miller v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion of John Wesley Hall for attorney's fees.

CR-18-546. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court. Appellant's pro se motion to file a supplement to brief.

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MOTIONS SUBMITTED

CR-18-546. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court. Appellant's pro se motion to compel testing of certain evidence.

CR-18-560. Joshua Windford Curl v. State of Arkansas, from White County Circuit Court. Appellant's combined motion for clarification or for leave to place material within the addendum, to stay the briefing schedule or for an extension of time.

CR-18-683. Rodney W. Rayburn v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's pro se motion for extension of time to file appeal brief.

CR-18-857. Joseph Bowman v. State of Arkansas, from Little River County Circuit Court. Motion of Phillip A. McGough for appointment of counsel on appeal.

CR-18-857. Joseph Bowman v. State of Arkansas, from Little River County Circuit Court. Motion of Phillip A. McGough to supplement the record.

CV-18-496. Emily Armstrong v. Martel Draper, from Pulaski County Circuit Court, Fifteenth Division. Appellant's motion for additional extension under special circumstances.

CV-18-496. Emily Armstrong v. Martel Draper, from Pulaski County Circuit Court, Fifteenth Division. Appellant's motion to supplement the record.

CV-18-688. Jill Grimsley v. Pine Drewyor, from Benton County Circuit Court. Appellant's motion to extend time to file supplemental record.

CV-18-711. City of Tontitown, Arkansas v. City of Springdale, Arkansas; First Security Bank; and Hillcrest Holdings, LLC, from Washington County Circuit Court. Motion of separate appellees First Security Bank and Hillcrest Holdings, LLC, to dismiss appeal.

CV-18-724. SAM Group, LLC; and Adam Waldron, Individually, a Minority Shareholder v. CR Crawford Construction, LLC, from Washington County Circuit Court. Separate appellant Adam Waldron's notice of suggestion of bankruptcy.

CV-18-724. SAM Group, LLC; and Adam Waldron, Individually, a Minority Shareholder v. CR Crawford Construction, LLC, from Washington County Circuit Court. Motion of separate appellant SAM Group, LLC, to stay briefing schedule because of notice of suggestion of bankruptcy, and in the alternative, motion for extension of time.

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MOTIONS SUBMITTED

CV-18-724. SAM Group, LLC; and Adam Waldron, Individually, a Minority Shareholder v. CR Crawford Construction, LLC, from Washington County Circuit Court. Motion of separate appellant Adam Waldron to stay brief schedule based upon bankruptcy filing, or in the alternative, motion for extension of time.

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 correct the record, stay briefing schedule, and for additional brief time.

E-18-284. Samuel Oliver v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

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CASES SUBMITTED

CR-18-326. Allen Dale Bradley v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division.

CR-18-368. A.M. v. State of Arkansas, from Howard County Circuit Court.

CR-18-431. Anthony Baumann v. State of Arkansas, from Benton County Circuit Court.

CV-17-583. Mike Steeland v. Bobbie Jo Steeland, from Monroe County Circuit Court.

CV-17-699. Roxanne M. Garrison and Mercy Home Health Berryville v. Charles Hodge and Mary Hodge, from Boone County Circuit Court.

CV-18-19. Unknown Heirs of Nathaniel and Emaline Neal, Married Persons, Deceased v. Dorothy Vaughn, Gail Hamilton, Louis Willis, Homer Willis, Jerry Pickett, Judy Pickett, and Professional Land Title Company of Arkansas, from Sevier County Circuit Court.

CV-18-64. Karley D. Rivers v. Caleb J. DeBoer, from Jefferson County Circuit Court.

CV-18-120. Keith Karolchyk v. Lisa Karolchyk, from Pulaski County Circuit Court, Fourteenth Division.

CV-18-234. Jorja Trading, Inc.; Automatic Auto Finance, Inc.; Cashfish Motor Pawn, Inc.; Virginia Rivers; Monte Johnston; and John Does 1–10 v. Leah Willis and Adrian Bartholomew, from Washington County Circuit Court.

CV-18-295. Tiffany Matthews v. Jeffrey Matthews, from Faulkner County Circuit Court.

CV-18-599. Ashley Wagner and Randy Yancey v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

CV-18-609. Trachica Newmy v. Arkansas Department of Human Services and Minor Children, from Mississippi County Circuit Court, Chickasawba District.

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

E-18-184. Kimberly Sanders v. Director et al.

E-18-185. Alice McKown v. Director et al.

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CASES SUBMITTED

E-18-186. Jocelyn Jamison v. Director et al.

E-18-187. Angela Davis v. Director et al.

E-18-188. Minnie Jackson v. Director et al.

E-18-189. Valerie DeLoach-Slay v. Director et al.

E-18-190. Herman Williams v. Director et al.

E-18-191. Kajuanna Bankston v. Director et al.

E-18-192. Cedric Haynes v. Director et al.

E-18-194. Sabrina McMahon v. Director et al.

E-18-195. Shajuana Knight v. Director et al.

E-18-196. Jana Farmer v. Director et al.