

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 24, 2019

RITA W. GRUBER, CHIEF JUDGE:

[CV-18-1025](#). The TJX Companies, Inc., d/b/a T.J. Maxx and American Zurich Insurance Company v. Azzie Lopez, from the Arkansas Workers' Compensation Commission. Affirmed. Klappenbach and Murphy, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-17-1078](#). Michael Dye v. State of Arkansas, from Crawford County Circuit Court. Affirmed; motion granted. Gruber, C.J., and Vaught, J., agree.

BART F. VIRDEN, JUDGE:

[CV-18-572](#). Don Randall Jackson (Deceased) v. Smiley Sawmill, LLC, and Technology Insurance Company, from the Arkansas Workers' Compensation Commission. Remanded for further findings. Gladwin and Whiteaker, JJ., agree.

[CV-18-987](#). Philip Hopfner and Robin Hopfner v. Arkansas Department of Human Services and Minor Children, from Madison County Circuit Court. Affirmed. Gruber, C.J., and Brown, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-18-21](#). Connie J. Montigue v. Donna Jones, from Sebastian County Circuit Court, Greenwood District. Reversed and remanded. Virden and Whiteaker, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-17-1031](#). Shawn Paul Vail v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Gruber, C.J., and Murphy, J., agree.

LARRY D. VAUGHT, JUDGE:

[CV-19-25](#). Patricia Barton v. Arkansas Department of Human Services and Minor Children, from Poinsett County Circuit Court. Affirmed. Abramson and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-18-857](#). Joseph Bowman v. State of Arkansas, from Little River County Circuit Court. Affirmed. Harrison and Brown, JJ., agree.

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MIKE MURPHY, JUDGE:

[CV-18-32](#). (In the Matter of the Estate of Elza Clifton Bond, Jr., Deceased) Charlotte Marcum; Luellen Holmes; Robert W. Snow, Jr.; and Vicki Gottsponer v. Barbara Gibson, from Drew County Circuit Court. Affirmed. Gruber, C.J., and Klappenbach, J., agree.

WAYMOND M. BROWN, JUDGE:

[CV-18-1024](#). Minor Children v. Arkansas Department of Human Services and Jacklyn Gabbard, from Perry County Circuit Court. Dismissed. Harrison, J., agrees. Hixson, J., concurs.

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PER CURIAM ORDERS

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

CV-17-784. Irene Murphy, as Personal Representative of Alton Murphy, Deceased v. Union Pacific Railroad Company, from Jefferson County Circuit Court.

CV-18-238. Freeman Holdings of Arkansas, LLC, and Francis B. Freeman, Jr. v. FNBC Bancorp, Inc., from Baxter County Circuit Court.

CV-18-650. (In the Matter of the Estate of Khyree Martin, a Minor) George Prange, as Vice President and Trust Officer of Bank of the Ozarks and Guardian of the Estate of Khyree Martin, a Minor; and the Estate of Khyree Martin v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Seventeenth Division.

CR-18-570. Jaylen Lamarvin Farmer v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for oral argument is denied.

CR-18-610. Allan Curtis Jones v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion for leave to withdraw reply brief and file corrected reply brief is granted.

CR-18-757. Kimberly Gail Lee v. State of Arkansas, from Woodruff County Circuit Court. Motion of LaTonya Laird for attorney fees is granted. Allowed \$1,800.00.

CR-18-957. Faishaun Virgies v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Appellant's motion to supplement addendum is granted.

CR-18-996. Parnell May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se petition to submit pages into record for review as documentary evidence is denied. Gruber, C.J., not participating.

CR-18-996. Parnell May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se petition to submit statement of facts is denied. Gruber, C.J., not participating.

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CR-18-996. Parnell May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se petition for judicial notice is denied. Gruber, C.J., not participating.

CR-18-996. Parnell May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se petition to respond to previous order denying prior petitions treated as a motion for reconsideration is denied. Gruber, C.J., not participating.

CR-18-996. Parnell May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se petition to resubmit previous petitions of statements of facts and documentary evidence is denied. Gruber, C.J., not participating.

CR-18-1027. Keith Savage v. State of Arkansas, from Yell County Circuit Court, Southern District. Appellant's petition for writ of certiorari to remand and correct the record is remanded to the circuit court to settle the record.

CR-18-1055. Gary Holmes v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellee's motion to dismiss is denied.

CR-18-1055. Gary Holmes v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to file belated brief is granted. Appellant's brief is due in twenty days (May 14, 2019). Final extension. Attorney Ronald L. Davis, Jr., is referred to the Arkansas Supreme Court Committee on Professional Conduct.

CR-19-4. Michael Phillips v. State of Arkansas, from Hempstead County Circuit Court. Appellee's motion to dismiss is granted.

CR-19-5. Michael Phillips v. State of Arkansas, from Hempstead County Circuit Court. Appellee's motion to dismiss is granted.

CV-18-155. Everett Latham Hayes v. Robert Psenka; Jeff Rodd; Ozark Enclave Properties; J and J Development, Inc.; Paul Jeffrey Rodd, Trustee of the Paul Jeffrey Rodd Trust; and the Paul Jeffrey Rodd Trust, from Newton County Circuit Court. Appellant's second report on bankruptcy. Status reports are due in ninety days (July 23, 2019).

CV-18-238. Freeman Holdings of Arkansas, LLC, and Francis B. Freeman, Jr. v. FNBC Bancorp, Inc., from Baxter County Circuit Court. Appellee's motion to deem response to petition for rehearing timely filed is granted.

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CV-18-687. Michael Boyd v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion for file-marked copy of brief is denied.

CV-18-687. Michael Boyd v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellee's motion for extension of brief time is moot.

CV-18-710. T.S.B., a Minor v. Elizabeth A. Robinson, Christopher Cook, Tammy A. Robinson (now Wright), and B.R.C., a Minor, from Garland County Circuit Court. Appellant's motion for substitution of table of contents is granted.

CV-18-865. Stacey D. Roberts v. Kendra C. Roberts, from Garland County Circuit Court. Appellant's motion to file brief is moot.

CV-18-865. Stacey D. Roberts v. Kendra C. Roberts, from Garland County Circuit Court. Appellant's amended motion to file brief is granted.

CV-18-990. City of Gravette v. City of Centerton and Centerton Waterworks and Sewer Commission, from Benton County Circuit Court. Appellant's motion for belated reply brief is granted.

CV-19-98. Java's Motorcycle Repair, LLC v. Gary Barth, from Garland County Circuit Court. Appellee's motion for leave to file belated brief and for additional brief time is granted. Switzer, J., not participating.

CV-19-209. Cameron Jane Tucker n/k/a Cameron Jane Boskus v. Paul Scott Tucker, from Baxter County Circuit Court. Appellant's motion for correction treated as a motion to remand to settle the record and is granted. Appellant's brief and corrected addendum is due thirty days after the supplemental record is lodged. Virden, J., not participating.

CV-19-215. Clayton Carson v. Arkansas Department of Human Services and Minor Child, from Lonoke County Circuit Court. Appellant's motion for extension of time to file brief is granted.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-18-735. Julian Gifford v. Darrell McGee, from Mississippi County Circuit Court, Chickasawba District.

CV-18-771. Darann Diane Harrison v. Arkansas Public Employees' Retirement System, from Pulaski County Circuit Court, Twelfth Division.

CR-18-224. Adam Patton v. State of Arkansas, from Desha County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees and costs.

CR-18-441. Malachi Muhammad v. State of Arkansas, from Monroe County Circuit Court. Motion by Omar F. Greene for payment of appointed counsel in case with oral argument.

CR-18-500. Roderick Montgomery v. State of Arkansas, from Ashley County Circuit Court. Appellant's motion to rely on previously filed reply brief.

CR-18-508. Roderick Montgomery v. State of Arkansas, from Drew County Circuit Court. Appellant's motion to rely on previously filed reply brief.

CR-18-626. William E. Starks v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion of Tyson K. Spradlin for attorney fees.

CR-18-653. Lawrence Ralston v. State of Arkansas, from Benton County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses.

CR-18-971. Bruce Wayne Devries v. State of Arkansas, from Saline County Circuit Court. Motion of D. Ryan Mullenix to withdraw as counsel.

CR-18-1040. Leodis Randle v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se motion for probable cause, malicious prosecution, and unclear record.

CR-18-1040. Leodis Randle v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se motion for acquittal, for ineffective counsel, and mistreatment of the law.

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MOTIONS SUBMITTED

CR-19-29. Vernon Dodson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellee's motion to dismiss.

CR-19-29. Vernon Dodson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion for belated brief.

CR-19-199. Roscoe Fletcher, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion for writ of certiorari to complete the record.

CR-19-340. Dequintis Bailey v. State of Arkansas, from Miller County Circuit Court. Motion of appointed counsel John Pickett to withdraw and motion to stay appellate deadlines pending ruling on motion to withdraw.

CV-18-307. J. David John v. Megan Marie Bolinder, from Benton County Circuit Court. Appellant's motion for award of appellate attorney fees and costs.

CV-18-988. Roderick Choate and Lisa Choate v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Appellees' joint motion to stay the briefing schedule and for expansion of argument page limits.

CV-18-1026. Adrienne Elaine Friedly v. Erik Christopher Friedly, from Lonoke County Circuit Court. Appellant's motion to supplement the record and to stay briefing schedule.

CV-18-1047. Jefferson Hospital Association, Inc.; Walter Johnson; David Nixon, M.D.; Federal Insurance Company; and John Does 2–20 v. Lee Andrew Davis, from Jefferson County Circuit Court. Appellee's motion to supplement the record and extend time to file brief.

CV-19-47. Linda Williams v. City of Little Rock and Risk Management Services, from the Arkansas Workers' Compensation Commission. Motion of Crystal Okoro to withdraw.

CV-19-112. William M. Hogan v. Bank of Little Rock, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion for leave to allow statement of the case to exceed five pages.

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MOTIONS SUBMITTED

CV-19-128. Howard Wood v. State of Arkansas, Governor Asa Hutchinson, and Arkansas Sentencing Commission, from Pulaski County Circuit Court, Seventeenth Division. Appellees' motion to dismiss.

CV-19-205. Nikita Mahoney v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Motion to reconsider appointment of the Arkansas Public Defender Commission as counsel for appellant.

CV-19-213. David A. Couch, PLLC v. Grayson & Grayson, P.A., from Cleburne County Circuit Court. Appellant's combined motion to supplement and correct record and for extension of time.

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CASES SUBMITTED

CR-18-804. Lonnie Hazelwood v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-18-830. Dylan E. Johnson v. State of Arkansas, from Ouachita County Circuit Court.

CR-18-878. John Paul Lovett v. State of Arkansas, from Franklin County Circuit Court, Northern District.

CR-18-930. Karen Sossamon v. State of Arkansas, from Sevier County Circuit Court.

CR-18-1017. Terry Dover v. State of Arkansas, from St. Francis County Circuit Court.

CV-18-725. Ruby Fisher v. Dannie L. Cuningkin and Veneine P. Cuningkin, from Saline County Circuit Court.

CV-18-796. Benjamin Wilson Pratt v. Tamra Renee Pratt, from Union County Circuit Court.

CV-18-967. Brenda K. Cheatham v. Harold Cheatham, from Lafayette County Circuit Court.

CV-18-1059. Jennifer Wright v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

CV-18-1060. Dawnisha Covin a/k/a Dawnisha Reece-Covin v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

CV-19-41. Christi Drane v. Arkansas Department of Human Services and Minor Children, from Madison County Circuit Court.

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

E-18-356. Pamela Williams v. Director et al.

E-18-357. Deborah Yearby v. Director et al.

E-19-1. Delores Davis v. Director et al.

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CASES SUBMITTED

E-19-2. Karen Sprinkles v. Director et al.

E-19-3. Maurice Lewis v. Director et al.

E-19-4. Jean Wiley v. Director et al.

E-19-5. Jasmine Guy v. Director et al.

E-19-6. Shaunmekka Thurman v. Director et al.

E-19-7. Irecia Brewer v. Director et al.

E-19-8. Sanjay Johnson v. Director et al.

E-19-9. Faye Talley v. Director et al.