

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**RITA W. GRUBER, CHIEF JUDGE:**

[CR-18-562](#). Jonathan Tomes v. State of Arkansas, from Crawford County Circuit Court. Reversed and dismissed. Abramson and Harrison, JJ., agree.

**RAYMOND R. ABRAMSON, JUDGE:**

[CV-18-552](#). JMD Construction Services, LLC v. General Construction Solutions, Inc., from Washington County Circuit Court. Affirmed. Gruber, C.J., and Harrison, J., agree.

**ROBERT J. GLADWIN, JUDGE:**

[CV-18-200](#). Holly Ballegeer v. Craig Ballegeer, from Crawford County Circuit Court. Affirmed in part; reversed and remanded in part. Switzer and Hixson, JJ., agree.

**BRANDON J. HARRISON, JUDGE:**

[CR-18-804](#). Lonnie Hazelwood v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Hixson and Brown, JJ., agree.

[CR-18-806](#). Jerrod Craven v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Hixson and Brown, JJ., agree.

[CR-18-1007](#). Kyston Bass v. State of Arkansas, from Hot Spring County Circuit Court. Remanded for supplementation of the record and addendum. Gruber, C.J., and Abramson, J., agree.

**N. MARK KLAPPENBACH, JUDGE:**

[CV-19-54](#). Charles Joslin v. Arkansas Department of Human Services and Minor Children, from Crawford County Circuit Court. Affirmed. Whiteaker and Vaught, JJ., agree.

**MEREDITH B. SWITZER, JUDGE:**

[CV-19-53](#). Joseia Libokmeto v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Gladwin and Hixson, JJ., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**PHILLIP T. WHITEAKER, JUDGE:**

[CV-18-938](#). Cindy Gillespie, in Her Official Capacity as Director of Arkansas Department of Human Services v. Reed Brewer, from Pulaski County Circuit Court, Sixth Division. Appeal dismissed. Klappenbach and Vaught, JJ., agree.

**KENNETH S. HIXSON, JUDGE:**

[CR-18-739](#). Ahmad Joseph v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Gladwin and Switzer, JJ., agree.

**MIKE MURPHY, JUDGE:**

[CV-18-725](#). Ruby Fisher v. Dannie L. Cuningkin and Veneine P. Cuningkin, from Saline County Circuit Court. Dismissed without prejudice. Gruber, C.J., and Klappenbach, J., agree.

**WAYMOND M. BROWN, JUDGE:**

[CV-19-73](#). Lynanne Glover v. Arkansas Department of Human Services and Minor Child, from Lonoke County Circuit Court. Affirmed. Virden and Murphy, 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-19-10. Craig Adams v. Director et al.

E-19-11. Craig Adams v. Director et al.

E-19-12. Drita Ismaili v. Director et al.

E-19-13. Lillie Chatman v. Director et al.

E-19-14. Beverly Mitchell v. Director et al.

E-19-15. Cornell Cornelius v. Director et al.

E-19-16. Marlon Braxton v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

E-19-17. Bernard Jones v. Director et al.

E-19-18. Amanda Emerson v. Director et al.

E-19-19. Dawn Rowe v. Director et al.

E-19-20. Leigh Stamp v. Director et al.

E-19-21. Lisa Dixon v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**PER CURIAM ORDERS**

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

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.

CV-18-490. Charles Fisher, Individually and as Administrator of the Estate of Wanda Faye Boling-Fisher v. Eric Boling, and Eric Boling and Wilma Leola East as Co-Successor Trustees of the H.E. Boling Testamentary Trust, from Mississippi County Circuit Court, Chickasawba District.

\*\*\*\*\*

CR-17-1080. Ronald Allan Lewis v. State of Arkansas, from Benton County Circuit Court. Motion of Matthew A. Kezhaya for attorney's fees is granted. Allowed \$1,800.00.

CR-18-524. John Dunn v. State of Arkansas, from Clark County Circuit Court. Appellant's motion for extension of time is moot. Murphy, J., not participating.

CR-18-524. John Dunn v. State of Arkansas, from Clark County Circuit Court. Appellee's motion for extension of time is granted. Final extension. Murphy, J., not participating.

CR-18-563. David Dewayne Wingfield, Jr. v. State of Arkansas, from Hempstead County Circuit Court. Motion of Charles D. Hancock for attorney's fees is granted. Allowed \$1,800.00.

CR-18-614. Michael David Lee Walker v. State of Arkansas, from Miller County Circuit Court. Motion of Gregg A. Knutson for attorney fees is granted. Allowed \$1,800.00.

CR-18-714. Melvin Jones 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-18-775. Tony Leon Henderson v. State of Arkansas, from Garland County Circuit Court. Motion of David A. Hodges for leave to enter appearance on behalf of appellant is granted.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**PER CURIAM ORDERS**

CR-18-812. George Guthrie v. State of Arkansas, from Craighead County Circuit Court, Eastern District. Motion of Dusti Standridge for attorney's fees and expenses is moot.

CR-18-812. George Guthrie v. State of Arkansas, from Craighead County Circuit Court, Eastern District. Amended motion of Dusti Standridge for attorney's fees and expenses is granted. Allowed \$1,800.00.

CR-18-1019. Gerald Lee Groomes v. State of Arkansas, from Garland County Circuit Court. Appellant's motion for waiver of addendum obligation is granted.

CR-18-1055. Gary Holmes v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion for extension of time to file brief is granted.

CR-19-191. Jamal D. Akram v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's pro se motion for copies and extension of time is granted.

CR-19-292. Randy James Myers v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for extension of time to file brief is granted.

CR-19-292. Randy James Myers v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to subpoena case file is denied.

CR-19-292. Randy James Myers v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion of discovery is denied.

CR-19-380. Kyndra Lakeisha Ringo v. State of Arkansas, from Cleveland County Circuit Court. Appellant's motion to supplement record is granted. Klappenbach, J., not participating.

CV-18-862. International Paper Company and Sedgwick Claims Management Services, Inc. v. Phyllis Robinson, from the Arkansas Workers' Compensation Commission. Joint motion to stay appeal and remand for settlement is granted.

CV-18-1058. O.C. v. Arkansas Department of Human Services, from Pulaski County Circuit Court, Thirteenth Division. Appellee's motion to stay briefing schedule and motion for extension of time, or in the alternative, for appellant to substitute abstract and addendum is granted. Murphy, J., not participating.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**PER CURIAM ORDERS**

CV-19-66. City of Fort Smith, Arkansas v. B & A Electric, Inc.; MeGehee Fence Contracting, LLC; Grimes Dozer Service, Inc.; James Griffith; and River Valley Sports Complex, Inc., from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for oral argument is granted. Harrison, J., not participating.

CV-19-101. George E. Kincade v. Chicot Memorial Medical Center; Misty Rogers, RN; Paulette Lirette, LPN; and Dr. Viviana Suarez, M.D., from Chicot County Circuit Court. Appellees' joint motion to dismiss appeal is granted.

CV-19-187. The Fairways at Marion, a Limited Partnership v. Mary Jefferson, from Crittenden County Circuit Court. Appellee's motion to dismiss appeal is denied. Virden and Harrison, JJ., not participating.

CV-19-367. Elizabeth Jane Callan v. Jason Elliott Callan, from Pulaski County Circuit Court, Third Division. Appellant's motion to supplement record is granted. Switzer and Murphy, JJ., not participating.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CR-18-750. Roy Treat v. State of Arkansas, from White County Circuit Court.

CV-18-594. Lakshminarayana Chekuri v. Madhuri Nekkhalapudi, from Pulaski County Circuit Court, Fifteenth Division.

CV-18-688. Jill Grimsley v. Pine Drewyor, from Benton County Circuit Court.

CV-18-1024. Minor Children v. Arkansas Department of Human Services and Jacklyn Gabbard, from Perry County Circuit Court.

\*\*\*\*\*

CR-17-1031. Shawn Paul Vail v. State of Arkansas, from Crittenden County Circuit Court. Motion of S. Butler Bernard, Jr., for attorney's fees.

CR-17-1078. Michael Dye v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fee and expenses.

CR-18-857. Joseph Bowman v. State of Arkansas, from Little River County Circuit Court. Motion of Phillip A. McGough for attorney fees and costs.

CR-19-222. Craytonia Badger v. State of Arkansas, from Columbia County Circuit Court. Appellee's motion for rebriefing for deficient abstract; or, in the alternative, motion for extension of brief time.

CR-19-397. Rocky Taliaferro v. State of Arkansas, from Saline County Circuit Court. Appellant's motion to seal DVD exhibit.

CV-18-620. Joseph Lucas, an Individual; Glen Lucas, an Individual; Robert Lucas, an Individual; Barbara Johnson, an Individual; Thomas Lucas, an Individual; and David Abbott, an Individual v. Pamela Vitko, as Personal Representative and on Behalf of the Laura Lee Broderick Estate; Cecily Lennard Lucas, as Personal Representative and on Behalf of John P. Lucas Estate; Victoria Gilbertie, all in the Matter of the Estate of Carl John Smith, Deceased; In Re Certain Funds Being Held in the Washington County Treasury, from Washington County Circuit Court. Appellees' motion to dismiss.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**MOTIONS SUBMITTED**

CV-18-620. Joseph Lucas, an Individual; Glen Lucas, an Individual; Robert Lucas, an Individual; Barbara Johnson, an Individual; Thomas Lucas, an Individual; and David Abbott, an Individual v. Pamela Vitko, as Personal Representative and on Behalf of the Laura Lee Broderick Estate; Cecily Lennard Lucas, as Personal Representative and on Behalf of John P. Lucas Estate; Victoria Gilbertie, all in the Matter of the Estate of Carl John Smith, Deceased; In Re Certain Funds Being Held in the Washington County Treasury, from Washington County Circuit Court. Appellees' amended motion to dismiss.

CV-18-620. Joseph Lucas, an Individual; Glen Lucas, an Individual; Robert Lucas, an Individual; Barbara Johnson, an Individual; Thomas Lucas, an Individual; and David Abbott, an Individual v. Pamela Vitko, as Personal Representative and on Behalf of the Laura Lee Broderick Estate; Cecily Lennard Lucas, as Personal Representative and on Behalf of John P. Lucas Estate; Victoria Gilbertie, all in the Matter of the Estate of Carl John Smith, Deceased; In Re Certain Funds Being Held in the Washington County Treasury, from Washington County Circuit Court. Appellants' motion to supplement record.

CV-18-651. Jesse Cureton and Joie Cureton v. Calvin Stout, from Washington County Circuit Court. Appellant's motion to strike.

CV-18-688. Jill Grimsley v. Pine Drewyor, from Benton County Circuit Court. Appellant's motion and brief in support to stay further enforcement of alimony order pending final issuance of mandate, or in the alternative, to deposit alimony in court's registry.

CV-18-880. 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. Appellant's motion for leave to file copy of supplemental record.

CV-19-11. Jesse Cureton and Joie Cureton v. Calvin Stout, from Washington County Circuit Court. Appellants' motion to strike.

CV-19-163. Mark C. Williams v. Amy Minton Williams, from Baxter County Circuit Court. Appellant's motion to seal, for redaction, and for protective order.



**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**MOTIONS SUBMITTED**

CV-19-389. 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. Appellant's motion for leave to file copy of supplemental record.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 15, 2019**

**CASES SUBMITTED**

CV-18-698. David Box v. J.B. Hunt Transport, Inc., from Benton County Circuit Court. Orally argued.

CR-18-429. Steven Swanigan v. State of Arkansas, from Garland County Circuit Court.

CR-18-756. Rusty Lee Latham v. State of Arkansas, from Miller County Circuit Court.

CR-18-789. Eliot Pargament v. State of Arkansas, from Crawford County Circuit Court.

CR-18-798. Brandon Guy Philpott v. State of Arkansas, from Benton County Circuit Court.

CR-18-894. Yuniesky Hernandez-Diaz v. State of Arkansas, from Prairie County Circuit Court, Southern District.

CR-19-84. Odis Hamrick v. State of Arkansas, from Lonoke County Circuit Court.

CV-18-344. Delmar Management, Inc. v. George Mackey, Arkansas Direct Auto, LLC, d/b/a Arkansas Direct Auto Sales, and Joshua White, from Faulkner County Circuit Court.

CV-18-687. Michael Boyd v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CV-18-1010. Lone's RT 92, Inc. v. DJ Mart, LLC, and Daljit Singh, from Pulaski County Circuit Court, Sixth Division.

CV-18-1052. Brittany Baltimore v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

CV-19-45. Stephanie Yelvington v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.