

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JULY 17, 2019**

**PER CURIAM ORDERS**

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

CR-18-570. Jaylen Lamarvin Farmer v. State of Arkansas, from Crittenden County Circuit Court.

CR-18-806. Jerrod Craven v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Switzer, J., not participating.

CV-18-698. David Box v. J.B. Hunt Transport, Inc., from Benton County Circuit Court. Virden and Vaught, JJ., not participating.

CV-18-892. EB Management Company, LLC; Ernie of Little Rock, Inc., d/b/a Ernie Biggs; and Brandon Griffin v. Houston Specialty Insurance Company and Michael Scott Tice, From Pulaski County Circuit Court, Fifth Division. Gruber, C.J., not participating.

E-19-17. Bernard Jones v. Director et al., from the Arkansas Board of Review. Abramson, J., not participating.

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CR-18-88. Christopher Brady Parker v. State of Arkansas, from Garland County Circuit Court. Motion of John Ogles for attorney's fees is granted. Allowed \$1,600.00. Switzer, J., not participating.

CR-18-316. Joshua Rigsby v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip McGough for attorney fees and costs is granted. Allowed \$1,600.00.

CR-18-386. Donald Columbus Cagle v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to recall the mandate is denied.

CR-18-556. Jared Harper v. State of Arkansas, from Miller County Circuit Court. Motion of Jeff Rosenzweig for attorney fees is granted. Allowed \$1,800.00.

CR-18-579. David Mondy v. State of Arkansas, from Johnson County Circuit Court. Motion of Brett D. Watson for attorney fees is granted. Allowed \$1,800.00. Harrison, J., not participating.

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CR-18-611. Frankie Von Holt v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for appointment of counsel is denied.

CR-18-649. Tyler Antonio King v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Appellant's motion to file belated appellant's brief is granted.

CR-18-657. Courtney Lowe v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion of James W. Wyatt for attorney fees is granted. Allowed \$1,800.00.

CR-18-695. Antonio D. Brown v. State of Arkansas, from Crittenden County Circuit Court. Motion of Bart Ziegenhorn for attorney fees is granted. Allowed \$1,600.00.

CR-18-738. Jay Richard Keyes v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Brett D. Watson for attorney fees is granted. Allowed \$1,800.00. Harrison, J., not participating.

CR-18-798. Brandon Philpott v. State of Arkansas, from Benton County Circuit Court. Motion of Justin C. Zachary for attorney fees is granted. Allowed \$1,800.00.

CR-18-809. Elmer Johnston v. State of Arkansas, from Faulkner County Circuit Court. Motion of Grace Casteel for award of attorney's fees is granted. Allowed \$1,800.00.

CR-18-818. Michael Dakota Hood v. State of Arkansas, from Benton County Circuit Court. Motion of Jason Davis for attorney's fees and costs is granted. Allowed \$1,600.00.

CR-18-930. Karen Sossamon v. State of Arkansas, from Sevier County Circuit Court. Motion of Brett D. Watson for attorney fees is granted. Allowed \$1,800.00. Harrison, J., not participating.

CR-18-933. P.J. v. State of Arkansas, from Clay County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$1,800.00.

CR-18-941. Nina Hannah v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Motion of Gregg A. Knutson for attorney fees is granted. Allowed \$1,800.00.

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CR-18-942. Joseph L. Nichols v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Motion of Jonathan T. Lane for award of attorney fees is granted. Allowed \$1,800.00. Switzer, J., not participating.

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

CR-18-1021. Jesse Pettry v. State of Arkansas, from Washington County Circuit Court. Appellee's motion to dismiss is passed until the case is submitted.

CR-18-1050. Steven Anthony Straub 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. Virden, J., not participating.

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-19-26. Lazerrick Black 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-19-42. Terrance Keith Billups v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion for extension of time is moot.

CR-19-84. Odis Hamrick v. State of Arkansas, from Lonoke County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees is granted. Allowed \$1,800.00.

CR-19-110. Randy W. Duck v. State of Arkansas, from Union County Circuit Court. Appellant's pro se motion for extension of brief time is granted. Final extension. Klappenbach, J., not participating.

CR-19-116. Nekola Danyel Conery v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion requesting permission to file appellant's brief without abstract or addendum is denied. Appellant's corrected brief is due in thirty days (August 16, 2019). Final extension. Whiteaker and Brown, JJ., would dismiss the appeal.

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CR-19-135. Charles L. Dade v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion requesting permission to file appellant's brief without abstract or addendum is denied. Appellant's corrected brief is due in thirty days (August 16, 2019). Final extension. Whiteaker and Brown, JJ., would dismiss the appeal.

CR-19-179. Jordan Onks v. State of Arkansas, from White County Circuit Court. Motion of Barrett T. Rogers to be relieved as attorney of record is denied.

CR-19-186. Stanley Vanoy Ransom v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion to supplement the record is granted.

CR-19-191. Jamal D. Akram v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's pro se motion requesting copy of record or brief is denied.

CR-19-199. Roscoe Fletcher, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion for extension of time to file brief is moot.

CR-19-249. James M. Bohanan v. State of Arkansas, from Conway County Circuit Court. Appellant's pro se motion for appointment of counsel is denied. Virden and Switzer, JJ., not participating.

CR-19-253. John Johnson v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Appellant's pro se motion to evidentiary exclusion suppress evidence is denied.

CR-19-253. John Johnson v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Motion of Dominique King for leave to be added as co-counsel of record is treated as request to enter appearance on behalf of the appellant and is granted.

CR-19-253. John Johnson v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Appellant's pro se motion pursuant to Rule 201 is denied.

CR-19-322. Thomas Rose v. State of Arkansas, from Jefferson County Circuit Court. Appellee's motion to dismiss for lack of jurisdiction, or, in the alternative, for brief time is granted. Appeal dismissed. Gruber, C.J., not participating.

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CR-19-397. Rocky Taliaferro v. State of Arkansas, from Saline County Circuit Court. Motion of Ryan K. Culpepper and Q. Byrum Hurst, Jr., to substitute counsel is granted.

CR-19-397. Rocky Taliaferro v. State of Arkansas, from Saline County Circuit Court. Motion of John Wesley Hall, Jr., to withdraw is granted.

CR-19-409. Janet Young v. State of Arkansas, from Crawford County Circuit Court. Appellant's petition for writ of certiorari to complete record is granted.

CR-19-409. Janet Young v. State of Arkansas, from Crawford County Circuit Court. Appellant's motion for extension of time to file appellant's abstract, opening brief, and addendum is granted.

CR-19-431. Michael Landon Doll v. State of Arkansas, from Benton County Circuit Court. Joint motion to substitute counsel on appeal is granted. Harrison, J., not participating.

CR-19-473. Anthony Jerome Fitzgerald v. State of Arkansas, from Jefferson County Circuit Court. Appellant's pro se petition for writ of certiorari to complete the record is remanded to the circuit court to settle and supplement the record.

CR-19-492. Mark Alan Garner v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Amended motion of David L. Dunagin to withdraw as counsel and have an attorney appointed is granted. Gregg Knutson is appointed as counsel for the appellant.

CR-19-495. Nikki Knauls v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of David L. Dunagin to withdraw as counsel and have an attorney appointed is granted. Natalie King is appointed as counsel for the appellant.

CR-19-523. Nicholas Hernandez-Lopez v. State of Arkansas, from Pope County Circuit Court. Motion of Leonardo Monterrey to withdraw as attorney on direct appeal is granted. Lisa-Marie Norris is appointed as counsel for the appellant.

CR-19-523. Nicholas Hernandez-Lopez v. State of Arkansas, from Pope County Circuit Court. Motion of Will Shelton to substitute counsel is denied.

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CV-17-827. Jim R. Nash v. Norma Nash, Individually and as Trustee of the Norma F. Nash Living Trust; John Nash, Jr., Individually and for Norma Nash, Deceased, as Cotrustee of the Norma F. Nash Living Trust, and as Co-administrator of the Norma Nash Estate; Pam Nash Glover, Individually and for Norma Nash, Deceased, as Cotrustee of the Norma F. Nash Living Trust, and as Co-administrator of the Norma Nash Estate; Susan Nash Lyle, Individually and for Norma Nash, Deceased; Perry Nash, Individually and for Norma Nash, Deceased; and Gaylen McClanahan, from Pulaski County Circuit Court, Second Division. Appellant's motion to stay mandate pending appeal to United States Supreme Court is granted. Mandate is stayed for ninety days (October 15, 2019). Harrison and Whiteaker, JJ., would deny. Gruber, C.J., not participating.

CV-18-688. Jill Grimsley v. Pine Drewyor, from Benton County Circuit Court. Appellant's motion to release supersedeas bond is granted. Abramson and Gladwin, JJ., not participating.

CV-18-866. Howard Wood v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellant's pro se motion to correct clerical error is granted.

[CV-18-975](#). Teresa G. Genz, Kathern Cooksey, Taylor Genz, Cassandra Julich (formerly Cassandra Genz), Logan Genz, Jerry Genz, and Lance Cooksey v. Amy Carter-Cooksey f/k/a Amy L. Carter, Individually and as Trustee of the James E. Cooksey Trust u/t/d March 11, 2010, from Washington County Circuit Court. Appellee's motion to strike appellants' brief as submitted is denied. Appellee's motion for extension of time to file appellee's brief is granted. Rebriefing ordered. See **per curiam** this date.

CV-19-163. Mark Courtney Williams v. Amy Minton Williams, from Baxter County Circuit Court. Appellant's motion to extend time to lodge supplemental record is moot.

CV-19-203. Alma Rodriguez-Gonzalez v. Jamestown Health and Rehab, LLC, and AMTRUST North America, from the Arkansas Workers' Compensation Commission. Appellees' motion to file belated brief is granted.

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CV-19-280. Hickory Heights Health and Rehab, LLC; Central Arkansas Nursing Centers, Inc.; Nursing Consultants, Inc.; and Michael Morton v. Delores Taylor, as Attorney-In-Fact of Mary Young; Madison Healthcare and Rehabilitation Center, LLC, d/b/a Madison Healthcare and Rehabilitation Center; Prince of Persia Healthcare, LLC; Skyline Services Group, LLC; Joseph Schwartz; and Sandra Mancell, in Her Capacity as Administrator of Madison Healthcare and Rehabilitation Center, from Pulaski County Circuit Court, Fifth Division. Motion of Scott D. Provencher to withdraw as counsel is granted. Gruber, C.J., and Harrison, J., not participating.

CV-19-325. Jessica Glover v. Lance Glover, from Benton County Circuit Court. Appellant's motion to supplement the record is moot.

CV-19-387. Franklin Sears v. City of Hot Springs, Arkansas; Hot Springs Civil Service Commission; and Jason Stachey, Individually and as Chief of Police, from Garland County Circuit Court. Appellant's motion for extension of time to file the chief brief; petition and amended petition for writ of certiorari to complete the record are moot. Gladwin and Switzer, JJ., not participating.

CV-19-387. Franklin Sears v. City of Hot Springs, Arkansas; Hot Springs Civil Service Commission; and Jason Stachey, Individually and as Chief of Police, from Garland County Circuit Court. Appellant's second amended petition for writ of certiorari to complete the record is treated as a motion to settle and supplement the record and is granted. Gladwin and Switzer, JJ., not participating.

CV-19-428. Shelly Diane Cooper and Annette Michelle Edelen, Individually and as Trustees of the Dolores S. Bryant Revocable Trust v. Horace E. Bryant and Nancy Elizabeth Edelen, from Benton County Circuit Court. Appellees' motion to dismiss appeal of findings of fact and conclusions of law is passed until the case is submitted.

CV-19-428. Shelly Diane Cooper and Annette Michelle Edelen, Individually and as Trustees of the Dolores S. Bryant Revocable Trust v. Horace E. Bryant and Nancy Elizabeth Edelen, from Benton County Circuit Court. Appellants' motion to remand for entry of final order or, in the alternative, motion to dismiss appeal without prejudice is passed until the case is submitted.

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CV-19-446. Stephen Allen Hathcock v. Tracy Young Hathcock (now Smith), from Pulaski County Circuit Court, Fifteenth Division. Appellant's motion for supersedeas bond pursuant to Rule 8(c)(1), Arkansas Rules of Appellate Procedure is denied. See Rule 8 of the Arkansas Rules of Appellate Procedure—Civil. Switzer and Murphy, JJ., not participating.

CV-19-463. Jonathan Terry v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Appellant's motion to supplement the record is granted.

E-19-100. Marcy Gray v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion for reconsideration is denied.

E-19-123. Ronnie Bowen v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.