

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF AUGUST 21, 2019

PER CURIAM ORDERS

CR-18-504. Andris McClendon v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to supplement the record on appeal is granted. Clerk directed to reset the briefing schedule. Switzer, J., not participating.

CR-18-504. Andris McClendon v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to recall the mandate is denied. Switzer, J., not participating.

CR-18-538. Henry Gadsden, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Motion of Danny R. Williams for attorney fees is denied.

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

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

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

CR-18-948. K.F. v. State of Arkansas, from Faulkner County Circuit Court. Motion of Brian G. Brooks for attorney fees is granted. Allowed \$1,800.00. Murphy, J., not participating.

CR-18-996. Parnell May v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's fourth pro se petition pursuant to Rule 201 of the Arkansas Rules of Evidence is denied. Gruber, C.J., not participating.

CR-19-253. John Johnson v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Appellant's pro se motion Rule 103(2) rule on evidence is denied.

CR-19-303. A.J.A. v. State of Arkansas, from Howard County Circuit Court. Appellant's unopposed motion to file supplemental addendum is granted. Harrison, J., not participating.

CR-19-322. Thomas Matthew Rose v. State of Arkansas, from Jefferson County Circuit Court. Motion of Frances Morris Finley for leave to withdraw appearance as counsel is moot. Gruber, C.J., not participating.

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CR-19-394. Jorge Vasquez-Ramirez v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's petition for extension of time to file appellant's brief or in the alternative for leave to file a belated appellant brief is granted.

CR-19-419. Jared Harper v. State of Arkansas, from Miller County Circuit Court. Appellant's motion for extension of time to file brief is moot.

CR-19-419. Jared Harper v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to consolidate cases is granted. Gladwin, J., would deny.

CR-19-456. Contrell Henderson v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion for bond reinstatement is denied.

CR-19-510. Oliver Hart III v. State of Arkansas, from Miller County Circuit Court. Appellant's pro se motion for appointment of counsel is denied.

CR-19-510. Oliver Hart III v. State of Arkansas, from Miller County Circuit Court. Appellant's pro se motion for extension of time to file brief of appellant is granted.

CR-19-533. David Lee Washburn, Sr. v. State of Arkansas, from Lonoke County Circuit Court. Motion of Everett O. Martindale to be relieved is granted. Ben Motal is appointed as counsel for the appellant.

CR-19-566. Jared Harper v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to consolidate cases is granted. Gladwin, J., would deny.

CR-19-591. Tracy Will Vaughn v. State of Arkansas, from White County Circuit Court. Appellant's petition for writ of certiorari to complete and correct the record is granted.

CR-19-599. Roderick Shoulders v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Louis L. Loyd to withdraw as attorney on direct appeal is granted. John Ogles is appointed as counsel for the appellant.

CR-19-614. N.R. v. State of Arkansas, from Washington County Circuit Court. Motion of Matthew Lee Dearmore to be relieved as attorney for appellant and stay briefing schedule is granted. William Ogles is appointed as counsel for the appellant.

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CV-18-866. Howard Wood v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellant's pro se motion for default judgment is denied.

CV-18-866. Howard Wood v. Wendy Kelley, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellee's motion to file belated brief is granted.

CV-18-893. Dr. Michael Eugene Johnson, M.D.; Bill Wagner, RN; Arkansas Methodist Hospital Corporation d/b/a Arkansas Methodist Medical Center; John Does 1–5; John Does 6–10; John Does 11–20; and John Doe Insurance Companies 1–5 v. Ashley Bradley and Corey Hunt, as Special Co-administrators of the Estate of Trey Jordan Hunt, Deceased, from Greene County Circuit Court. Separate appellants' joint motion to withdraw and for substitution of counsel is granted. Vaught, J., not participating.

CV-19-31. Diana Wilcox v. Rube "Dubby" Wilcox, from Faulkner County Circuit Court. Appellant's motion to supplement and clarify the record is denied.

CV-19-70. Mullen, Inc.; Larry J. Steele; and Janet Steele v. J.R. Rogers and Michelle Rogers, from Lawrence County Circuit Court. Appellants' motion for order granting leave of court to enlarge appellants' reply brief to seventeen pages is granted.

CV-19-101. George Kincade v. Chicot Memorial Medical Center; Misty Rogers, RN; Paulette Lirette, LPN; and Dr. Vivana Suarez, M.D., from Chicot County Circuit Court. Appellant's motion for reconsideration is denied. Harrison, J., would grant the motion to reconsider and dismiss the appeal with prejudice.

CV-19-112. William M. Hogan v. Bank of Little Rock, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion to supplement the court's record and addendum is granted upon receipt of the certified supplemental record.

CV-19-129. Linda Collins-Smith v. Philip Smith, from Randolph County Circuit Court. Appellee's unopposed motion for stay is granted. Status reports are due September 12, 2019. Gladwin and Murphy, JJ., not participating.

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CV-19-144. Larry Phifer v. Janet Oullette, as Personal Representative of the Estate of Ruth Cowin; Richard Cowin; Margot Cowin; BHP Billiton Petroleum (Fayetteville), LLC, a Delaware LLC; BP America Production Company; Chesapeake Exploration, LLC, an Oklahoma LLC; and SWN Production (Arkansas), Inc., d/b/a SEECO, Inc., from White County Circuit Court. Appellant's motion to remand for want of a final order and for extension of time. Appeal dismissed.

CV-19-205. Nikita Mahoney v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Motion of Nathan D. Lewis to be relieved as appellant's counsel of record is passed until the case is submitted.

CV-19-326. William "Bill" Carson v. Pat Salmon & Sons, Inc., and ACE American Insurance Co./Specialty Claim Services, Inc., from the Arkansas Workers' Compensation Commission. Appellant's pro se motion to remand and for an extension of brief time is denied.

CV-19-326. William "Bill" Carson v. Pat Salmon & Sons, Inc., and ACE American Insurance Co./Specialty Claims Services, Inc., from the Arkansas Workers' Compensation Commission. Appellant's second pro se motion to remand is denied. Appellant's motion to grant more time is granted.

CV-19-349. United Services Automobile Association v. Mary Norton, from Pulaski County Circuit Court, Fifth Division. Appellee's motion to dismiss appeal due to lack of a final order is denied. Gruber, C.J., and Virden, J., not participating.

CV-19-365. David Grant v. Westar Refrigerated Transportation and Midwestern Insurance Alliance, LLC, from the Arkansas Workers' Compensation Commission. Appellant's motion requesting permission to proceed under the pilot-project despite the lack of an electronically filed record is denied.

CV-19-402. Lockhard & Williams Insurance Services, Inc. v. Luther Waldrip, Administrator for the Estate of Timothy Waldrip, Deceased, from Benton County Circuit Court. Appellant's motion for approval of supersedeas bond is granted. Whiteaker, J., would deny.

CV-19-453. Melissa Everly v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion requesting partial relief from abstracting requirement of Ark. Sup. Ct. R. 4-2(a)(5)(B) is granted. Harrison, J., not participating.

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CV-19-466. Vincent Peal and Jessica Atwood v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eleventh Division. Separate appellant Jessica Atwood's motion to ask permission to substitute abstract in appellant's opening brief is granted. Gruber, C.J., not participating.

CV-19-478. W.J. Bolton Farms, LLC v. Entergy Arkansas, Inc., from Poinsett County Circuit Court. Appellee's motion to dismiss appeal for lack of a final, appealable order is granted. Virden, J., not participating.

CV-19-499. John Ray Dye and Bobbye Jo Dye v. Precision Foundation Specialties and Flow Rite Drainage Solutions, Inc., from Benton County Circuit Court. Appellants' motion for writ of supersedeas is denied.

CV-19-572. Danielle Rose Rowe v. Jamie Ray Rowe, from White County Circuit Court. Appellant's pro se motion for appointment of counsel is denied.

E-19-163. Christine Rowe v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied. Switzer, J., not participating.

Pursuant to Rule 4-5 of the Rules of the Supreme Court and Court of Appeals, the following appeals have been dismissed for failure to file an appellant's brief.

CV-17-929. Bobby Jett v. Karen Reddick, from Jefferson County Circuit Court.

CV-17-1054. Fred L. Tate and Tommie G. White v. The Most Worshipful Grand Lodge, Free and Accepted Masons of the State of Arkansas, and Its Masonic Jurisdiction, Billy Joe Holder, Jr., In His Capacity as Grand Master of The Most Worshipful Grand Lodge, Free and Accepted Masons of the State of Arkansas, and Its Masonic Jurisdiction, from Faulkner County Circuit Court.

CV-18-157. Anthony Sam v. Jamie Olsen Lyall, from Crawford County Circuit Court.

CV-18-185. Meegan Wingate-Mickles, as Administratrix on Behalf of the Estate Of Emrich Swonia, Jr. v. Marqueita Lathell Harris, from Pulaski County Circuit Court, Ninth Division.

CV-18-464. Robert Avery v. Mary Johnston, from Washington County Circuit Court.

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CV-18-520. The Kathy Jean Buckalew Revocable Trust Dated January 28, 2016 v. Benton County Planning Board; Rogers Water Works and Sewer Commission of the City of Rogers, Arkansas; Rogers Water Utilities of the City of Rogers, Arkansas; and XNA Real Estate, LLC, from Benton County Circuit Court.

CV-18-917. Christopher Young v. City of Little Rock, Little Rock Civil Service Commission; and Little Rock Police Department, from Pulaski County Circuit Court, Sixth Division.

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MOTIONS SUBMITTED

CR-18-1021. Jesse Pettry v. State of Arkansas, from Washington County Circuit Court. Motion of William Whitfield Hyman to be allowed to enter on the case, substitute counsel, amend the record, and be allowed to respond belatedly to appellee's motion to dismiss.

CR-19-443. Markevious King v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellee's motion to dismiss appeal, or, in the alternative, motion for extension of brief time.

CR-19-510. Oliver W. Hart III v. State of Arkansas, from Miller County Circuit Court. Appellant's pro se notice to clerk.

CR-19-532. Michael Shock v. State of Arkansas, from Cleburne County Circuit Court. Appellant's motion to stay briefing schedule and remand matter to trial court and for other relief.

CR-19-602. J.B.G. v. State of Arkansas, from Washington County Circuit Court. Motion of Kathryn E. Platt to be relieved as appellant attorney, for substitution of counsel and to stay briefing schedule.

CV-17-214. Miracle Kids Success Academy, Inc. v. Marvin Henry Maurras, from Pulaski County Circuit Court, Twelfth Division. Appellant's motion to release bond and collateral securing bond.

CV-18-585. Wynne-Ark., Inc., d/b/a Kelley's Restaurant v. Richard Baughn Construction, from Cross County Circuit Court. Joint motion for continuance of oral argument.

CV-18-811. Patrick R. Briney and Colleen M. Briney v. Michael Bauer, from Washington County Circuit Court. Appellee Michael Bauer's motion for attorney's fees.

CV-18-811. Patrick R. Briney and Colleen M. Briney v. Michael Bauer, from Washington County Circuit Court. Appellants' motion to allow belated response.

CV-18-862. International Paper Company and Sedgwick Claims Management Services, Inc. v. Phyllis Robinson, from the Arkansas Workers' Compensation Commission. Joint status report.

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MOTIONS SUBMITTED

CV-18-1026. Adrienne Elaine Friedly v. Erik Christopher Friedly, from Lonoke County Circuit Court. Appellee's motion for extension of time to file brief or, in the alternative, leave to file belated brief.

CV-19-349. United Services Automobile Association v. Mary Norton, from Pulaski County Circuit Court, Fifth Division. Appellant's motion to remand and settle the record.

CV-19-366. Corey Allen v. Employbridge Holding Company and Gallagher Bassett Services, Inc., from the Arkansas Workers' Compensation Commission. Appellant's motion to file belated brief and to proceed under the pilot project despite the lack of an electronically file record.

CV-19-392. Lenora Robinson v. Robert Murphy, from Mississippi County Circuit Court, Osceola District. Appellant's motion for leave to supplement abstract, supplement addendum, and file a substituted brief.

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CASES SUBMITTED

CV-18-301. Five Forks Hunting Club, LLC v. Nixon Family Partnership, from Arkansas County Circuit Court, Northern District. Orally argued.

CR-18-834. George L. Clay III v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-18-951. Anthony Bens v. State of Arkansas, from Grant County Circuit Court.

CR-18-957. Faishaun Virgies v. State of Arkansas, from Mississippi County Circuit Court, Osceola District.

CR-18-1028. A.M. v. State of Arkansas, from Miller County Circuit Court.

CR-19-85. A.P. v. State of Arkansas, from Lonoke County Circuit Court.

CR-19-108. Rodney Hill v. State of Arkansas, from Howard County Circuit Court.

CV-18-577. Christopher S. Holloway v. Tori D. Holloway, from Benton County Circuit Court.

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.

CV-19-69. Lavaca School District and Arkansas School Boards Association v. Pat Hatfield, from the Arkansas Workers' Compensation Commission.

CV-19-113. Robert Taylor v. Arkansas Department of Human Services and Minor Child, from Faulkner County Circuit Court.

CV-19-178. Amber Westbrook v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.