

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

RITA W. GRUBER, CHIEF JUDGE:

[CR-19-331](#). Maurice Trammell v. State of Arkansas, from Hempstead County Circuit Court. Appeal dismissed. Murphy, J., agrees. Harrison, J., concurs.

[CV-18-743](#). Elwyn Perser v. Whitney Perser, from Pulaski County Circuit Court, Sixteenth Division. Affirmed on direct appeal; affirmed on cross-appeal. Whiteaker and Vaught, JJ., agree.

[E-19-39](#). Allen Thomas v. Director, Department of Workforce Services, and Weyerhaeuser NR Company, from the Arkansas Board of Review. Affirmed. Whiteaker and Vaught, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-18-976](#). Akela Shylo Bowman v. State of Arkansas, from Grant County Circuit Court. Affirmed. Virden and Hixson, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-19-14](#). Willie Antone Matlock v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Switzer and Vaught, JJ., agree.

[CR-19-275](#). B.T. v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Switzer and Vaught, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-18-997](#). Harry McDermott and Angela Blevins v. James M. Cline, Individually and as Trustee of the James M. Cline and Susan Cline Trust, from Benton County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-19-313](#). David Lee Daniels, Jr. v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Harrison and Switzer, JJ., agree.

[CV-19-529](#). Tijuanna Crawford v. Arkansas Department of Human Services and Minor Children, from Miller County Circuit Court. Affirmed. Harrison and Switzer, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

MEREDITH B. SWITZER, JUDGE:

[CR-19-140](#). Chavel Terell Jemison v. State of Arkansas, from Miller County Circuit Court. Affirmed. Harrison and Klappenbach, JJ., agree.

[CR-19-323](#). Michael Lance Turner v. State of Arkansas, from Craighead County Circuit Court, Eastern District. Affirmed. Harrison and Klappenbach, JJ., agree.

[CV-19-477](#). Russell Fronterhouse v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Virden and Vaught, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-18-971](#). Bruce Wayne Devries v. State of Arkansas, from Saline County Circuit Court. Affirmed. Abramson and Gladwin, JJ., agree.

[CR-19-67](#). Terrell Deshawn Thomas v. State of Arkansas, from Garland County Circuit Court. Rebriefing ordered. Gruber, C.J., and Vaught, J., agree.

[CV-19-60](#). Prescott School District v. Patricia Marie Steed, from Nevada County Circuit Court. Affirmed. Gruber, C.J., and Vaught, J., agree.

LARRY D. VAUGHT, JUDGE:

[CR-19-239](#). Alex Rankin v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Gruber, C.J., and Whiteaker, J., agree.

[CV-17-924](#). Victor Bernard Williams, M.D. v. Baptist Health d/b/a Baptist Health Medical Center et al., from Pulaski County Circuit Court, Sixth Division. Affirmed in part; reversed and remanded in part. Virden and Switzer, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-18-986](#). Milton Peebles III v. State of Arkansas, from Garland County Circuit Court. Reversed and remanded. Klappenbach and Brown, JJ., agree.

[CR-19-89](#). Stephanie Cordero v. State of Arkansas, from Saline County Circuit Court. Affirmed. Klappenbach and Brown, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

KENNETH S. HIXSON, JUDGE: (Continued)

[CV-18-994](#). David McKim v. Jack B. Sullivan; Mitchell Collision and Towing Center, Inc., d/b/a Jim Smith Collision and Wrecker, Jim Smith Wrecker Service, and Smith Collision and Wrecker; Samuel Mitchell, Individually; and Sam Mitchell, Individually, from Faulkner County Circuit Court. Reversed and remanded. Abramson and Virden, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-18-1056](#). Melissa Stearns v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Dismissed. Gladwin and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-19-91](#). Robert T. Williams, Owen Honeysuckle, Rose White, Wayne Nunnerly, Lela Burns, and Barbara Mitchell Hicks v. City of Sherwood, Arkansas; and Charles Harmon, Kenneth Keplinger, Kevin Lilly, Marina Brooks, Mary Jo Heye, Mike Sanders, Tim McMinn, and Toni Butler, in Their Official Capacities as Aldermen of the City of Sherwood, Arkansas, from Pulaski County Circuit Court, Third Division. Affirmed. Gladwin 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-19-113. Greg Willie v. Director et al.

E-19-114. Evelyn McGill v. Director et al.

E-19-115. Calandria Shaw v. Director et al.

E-19-116. Evelyn Jones v. Director et al.

E-19-117. Alexander Newborn v. Director et al.

E-19-118. Elizabeth James v. Director et al.

E-19-119. Alicia Turner v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 23, 2019

E-19-120. Larry Sawyer v. Director et al.

E-19-121. L.C. Briggs v. Director et al.

E-19-122. L.C. Briggs v. Director et al.

E-19-124. Lonnie Franklin v. Director et al.

E-19-125. Teresa Murry v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

PER CURIAM ORDERS

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

CR-18-500. Roderick Montgomery v. State of Arkansas, from Ashley County Circuit Court.

CR-18-508. Roderick Montgomery v. State of Arkansas, from Drew County Circuit Court.

CV-18-340. Thomas Sanders v. Union Pacific Railroad Company, from Pulaski County Circuit Court, Seventeenth Division.

CV-18-516. The City of Magnolia v. Dennis Milligan, in His Official Capacity as Treasurer of the State of Arkansas; Larry Atkinson, in His Official Capacity as County Judge for Columbia County; and Selena Blair, in Her Official Capacity as County Treasurer for Columbia County, from Pulaski County Circuit Court, Thirteenth Division. Gruber, C.J., and Klappenbach, Switzer, and Murphy, JJ., not participating.

CR-18-806. Jerrod Craven v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion of Robert E. Hodge III for attorney's fees pursuant to Arkansas Supreme Court Rule 6-6(d) is granted. Allowed \$1,800.00. Switzer, J., not participating.

CR-18-951. Anthony Bens v. State of Arkansas, from Grant County Circuit Court. Appellee's motion to direct appellant to follow court opinion and to stay appellee's brief time is moot.

CR-18-951. Anthony Bens v. State of Arkansas, from Grant County Circuit Court. Appellant's motion to file a correct substituted abstract is granted.

CR-19-50. David Lee Scroggins v. State of Arkansas, from Faulkner County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses is granted. Allowed \$1,800.00.

CR-19-292. Randy James Myers v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to file an amended addendum is denied. Virden, J., not participating.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

PER CURIAM ORDERS

CR-19-294. Jerry Nutt v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for Rule 37 hearing transcript is remanded to the circuit court to settle the record.

CR-19-649. Joshua Parks v. State of Arkansas, from Faulkner County Circuit Court. Motion of Tabatha Branch to be relieved and to stay briefing schedule is granted. Attorney Eric Moore is appointed as counsel for the appellant.

CR-19-649. Joshua Parks v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for extension of briefing schedule is granted.

CR-19-742. Jesse Benton v. State of Arkansas, from Boone County Circuit Court. Motion of Benjamin Burnett to withdraw as counsel is granted. Attorney Dusti Standridge is appointed as counsel for the appellant.

CR-19-755. George Burns v. State of Arkansas, from Little River County Circuit Court. Appellant's motion for permission to access sealed materials and to use the materials in brief is granted.

CR-19-793. Mack Harris v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Philip Wilson to be relieved and substitute counsel is granted.

CV-18-698. David Box v. J.B. Hunt Transport, Inc., from Benton County Circuit Court. Appellant's motion for costs is moot. Virden and Vaught, JJ., not participating.

CV-18-865. Stacey Donald Roberts v. Kendra Christy Roberts, from Garland County Circuit Court. Appellant's motion for extension of time to file brief is granted. Switzer, J., not participating.

CV-18-949. Karen Hardesty, in Her Official Capacity as Boone County Assessor v. North Arkansas Medical Services, Inc., and North Arkansas Regional Medical Center, Inc., from Boone County Circuit Court. Appellant's motion for order of substitution of party is granted.

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 corrected brief is granted.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

PER CURIAM ORDERS

CV-19-660. Tommy Williams and Vela Williams v. Ronnie Crump, from Craighead County Circuit Court, Eastern District. Appellants' motion for approval of supersedeas bond and to stay litigation pending appeal is granted. Whiteaker, J., would deny.

CV-19-661. Tommy Williams and Vela Williams v. Ronnie Crump, from Craighead County Circuit Court, Eastern District. Appellants' motion for approval of supersedeas bond and to stay litigation pending appeal is granted. Whiteaker, J., would deny.

CV-19-718. Sunni Frisby v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Appellant's motion to correct the record and to stay the briefing schedule is treated as a motion to settle the record and is granted.

CV-19-772. Kristin Ann Lauren Potter v. Russell Lowell Potter II, from Benton County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

E-19-216. Perry Meadough v. Director et al., from the Arkansas Board of Review. Motion for belated appeal is denied. Virden and Brown, JJ., would grant.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 23, 2019
MOTIONS SUBMITTED

PETITION FOR REHEARING:

CR-18-524. John Dunn v. State of Arkansas, from Clark County Circuit Court.

CR-18-762. Freddie Lee Jones v. State of Arkansas, from Washington County Circuit Court. Motion and request of Laura Avery for attorney fees.

CR-19-57. Gregory Dwayne Lewis III v. State of Arkansas, from Miller County Circuit Court. Motion of Joseph C. Self for payment of fees.

CR-19-80. Donshadrick Boyd v. State of Arkansas, from Jefferson County Circuit Court. Motion of Sharon Kiel for award of attorney's fees.

CR-19-85. A.P. v. State of Arkansas, from Lonoke County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees.

CR-19-105. Noah Douglas Wright v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fee.

CR-19-196. James Ronald Thompson v. State of Arkansas, from Desha County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-19-473. Anthony Jerome Fitzgerald v. State of Arkansas, from Jefferson County Circuit Court. Appellee's motion to dismiss or, in the alternative, motion for extension of brief time.

CR-19-497. Tautiana Porter v. State of Arkansas, from Clark County Circuit Court. Appellant's petition for writ of certiorari to complete the record and motion to stay briefing schedule.

CR-19-533. David Lee Washburn, Sr. v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion to file brief under seal.

CR-19-533. David Lee Washburn, Sr. v. State of Arkansas, from Lonoke County Circuit Court. Appellant's amended motion to file brief under seal.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

MOTIONS SUBMITTED

CR-19-626. Delvin Neal v. State of Arkansas, from Drew County Circuit Court. Motion of Terrence Cain to substitute the attorney of record.

CR-19-626. Delvin Neal v. State of Arkansas, from Drew County Circuit Court. Appellant's motion to stay the briefing schedule.

CR-19-717. Rodney Dain Doster v. State of Arkansas, from Union County Circuit Court. Appellant's petition for writ of certiorari to complete the record and to stay briefing or, alternatively, for brief time.

CR-19-724. Bryant Adams v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Motion of Jeanette Whatley to be relieved as appellate counsel and for substitution of counsel.

CR-19-741. Cleveland Earl Smith, Jr. v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for rule on the clerk to file motion for stay of time for appeal for appellant to file petition in circuit court for ineffective assistance of counsel.

CR-19-741. Cleveland Earl Smith, Jr. v. State of Arkansas, from Faulkner County Circuit Court. Motion of Danny R. Williams to withdraw as counsel for appellant.

CV-18-301. Five Forks Hunting Club, LLC v. Nixon Family Partnership, from Arkansas County Circuit Court, Northern District. Appellee's motion for fees and costs for preparation of supplemental abstract and supplemental addendum.

CV-19-486. Steve Wilson and Susan Wilson v. Voy Gillentine, Jr., and Stephanie Gillentine, from Craighead County Circuit Court, Western District. Appellants' motion to correct and complete the record.

CV-19-486. Steve Wilson and Susan Wilson v. Voy Gillentine, Jr., and Stephanie Gillentine, from Craighead County Circuit Court, Western District. Appellants' motion to extend time.

CV-19-654. Pat Altenbaumer v. Southland Management Corp., from Little River County Circuit Court. Appellant's motion to supplement the record.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

CASES SUBMITTED

CV-18-990. City of Gravette v. City of Centerton and Centerton Waterworks and Sewer Commission, from Benton County Circuit Court. Orally argued.

CR-18-649. Tyler Antonio King v. State of Arkansas, from Mississippi County Circuit Court, Osceola District.

CR-18-1055. Gary Holmes v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-19-42. Terrance Keith Billups v. State of Arkansas, from Benton County Circuit Court.

CR-19-111. Chris Michael Baker v. State of Arkansas, from White County Circuit Court.

CR-19-153. Calvin C. Williams, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CR-19-186. Stanley Vanoy Ransom v. State of Arkansas, from Faulkner County Circuit Court.

CR-19-345. Sidney Lee Ward v. State of Arkansas, from Yell County Circuit Court, Southern District.

CR-19-410. Christopher Hooten v. State of Arkansas, from Crawford County Circuit Court.

CR-19-467. Misty Shirlondia Martin v. State of Arkansas, from Miller County Circuit Court.

CV-18-934. Brodie Faughn and Billy Colvin v. Alfred Kennedy and Wayne Kennedy, from St. Francis County Circuit Court.

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

CV-18-1063. Eric Carr v. Maranda Lynn Carr, from Johnson County Circuit Court.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 23, 2019

CASES SUBMITTED

CV-19-72. Silver Springs Property Owners' Recreational Improvement District No. 30 of Haskell, Arkansas v. Jeff Arey, Saline County Judge; Bob Ramsey, Saline County Assessor; Joy Ballard, Saline County Collector; Saline County Quorum Court; Saline County Board of Equalization; and Saline County, Arkansas, from Saline County Circuit Court.

CV-19-81. (In the Matter of the Adoption of T.A.J., a Minor Child) Cody Mac Johnson v. Derek Ryan Beatty, from Faulkner County Circuit Court.

CV-19-83. Rick A. Blanchard, as Trustee of the Rick A. Blanchard Living Trust Agreement Dated August 18, 1989 v. City of Springdale, Arkansas, a Municipal Corporation Acting by and Through Its Water and Sewer Commission, from Benton County Circuit Court.

CV-19-267. Lexa Page v. Southwestern Bell Telephone Company/AT&T, Inc.; Old Republic Insurance Company; and Sedgwick Claims Management Services, Inc., from the Arkansas Workers' Compensation Commission.

CV-19-308. City of Fort Smith and Central Adjustment Company v. Trina A. Kaylor, from the Arkansas Workers' Compensation Commission.

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

E-19-138. Marcelis Register v. Director et al.

E-19-139. Jonathon Weatherford v. Director et al.

E-19-140. Detrick Marshall v. Director et al.

E-19-141. Camille Hannah v. Director et al.

E-19-142. Melissa Turner v. Director et al.

E-19-143. Cassandra Whitfield v. Director et al.

E-19-144. Misti Estrada v. Director et al.

E-19-145. Frank Tate v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 23, 2019

CASES SUBMITTED

E-19-146. Catherine Voss (now Caveness) v. Director et al.

E-19-147. Dorothy Burns v. Director et al.

E-19-148. Conrad Mitchell v. Director et al.

E-19-149. Marvin Sproling v. Director et al.