

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 11, 2020

RITA W. GRUBER, CHIEF JUDGE:

[CR-19-532](#). Michael Shock v. State of Arkansas, from Cleburne County Circuit Court. Affirmed. Virden and Klappenbach, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-19-673](#). Arkansas Department of Health and Public Employee Claims Division v. Jeffrey W. Lockhart, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Brown, JJ., agree.

BART F. VIRDEN, JUDGE:

[CV-18-1026](#). Adrienne Elaine Friedly v. Erik Christopher Friedly, from Lonoke County Circuit Court. Affirmed in part; reversed in part. Gruber, C.J., and Klappenbach, J., agree.

[CV-19-574](#). (In the Matter of the Adoption of H.G.W., a Minor) Jerry Utley v. Chad Westbrook, from Pulaski County Circuit Court, Thirteenth Division. Reversed and remanded. Gruber, C.J., and Klappenbach, J., agree.

[CV-19-887](#). Shelby Phillips v. Arkansas Department of Human Services and Minor Children, from Madison County Circuit Court. Affirmed. Gruber, C.J., and Klappenbach, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-19-773](#). Brooklyn Holt v. Arkansas Department of Human Services and Minor Child, from Johnson County Circuit Court. Affirmed; motion to withdraw granted. Abramson and Brown, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-19-826](#). Robert Draft v. State of Arkansas, from White County Circuit Court. Affirmed. Gruber, C.J., and Virden, J., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-19-736](#). Angela Hewitt v. State of Arkansas, from Crawford County Circuit Court. Reversed and remanded. Hixson and Murphy, JJ., agree.

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LARRY D. VAUGHT, JUDGE:

[CV-18-724](#). S.A.M. Group, LLC v. CR Crawford Construction, LLC, from Washington County Circuit Court. Affirmed. Harrison and Switzer, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-19-374](#). Anita Rowton v. State of Arkansas, from Lonoke County Circuit Court. Reversed and remanded in part; reversed and dismissed in part; affirmed in part. Whiteaker and Murphy, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-19-507](#). Shirley Jene Clements v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed. Harrison and Whiteaker, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-19-398](#). Town of Springtown, Arkansas v. Michael M. Evans et al., from Benton County Circuit Court. Reversed and remanded. Abramson and Gladwin, JJ., agree.

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PER CURIAM ORDERS

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

CR-19-397. Rocky Taliaferro v. State of Arkansas, from Saline County Circuit Court. Virden and Switzer, JJ., not participating.

CR-19-645. Charles Allen v. State of Arkansas, from Crawford County Circuit Court.

CV-18-968. Shane Perry v. Brandie Perry, from Benton County Circuit Court. Gladwin, J., not participating.

CV-19-325. Jessica Glover v. Lance Glover, from Benton County Circuit Court.

CV-19-338. L. Walter Quinn v. Richard D. O'Brien and Simmons Bank, in Its Capacity as Trustee of the Heartland Bank Liquidating Trust U/D/I March 8, 2018, from Pulaski County Circuit Court, Ninth Division. Abramson, J., not participating.

CR-18-897. Demorcus L. Smith v. State of Arkansas, from Ashley County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$1,600.00.

CR-18-985. Frederick Eugene Scott, Jr. v. State of Arkansas, from Garland County Circuit Court. Motion of David M. Littlejohn for attorney fees is denied without prejudice. Switzer, J., not participating.

CR-19-353. Clarence Curtis v. State of Arkansas, from Hot Spring County Circuit Court. Appellee's motion to dismiss is denied.

CR-19-354. Clarence Curtis v. State of Arkansas, from Hot Spring County Circuit Court. Appellee's motion to dismiss is denied.

CR-19-455. Daniel L. Wessels v. State of Arkansas, from Marion County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$1,800.00.

CR-19-496. Robert Moten v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Grace Casteel for award of attorney's fees is granted. Allowed \$1,800.00. Virden, J., not participating.

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CR-19-582. Robert E. Dyas v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$1,800.00. Switzer, J., not participating.

CR-19-623. Gary Chambers v. State of Arkansas, from Clark County Circuit Court. Motion of Joseph C. Self for payment of fees is granted. Allowed \$1,800.00.

CR-19-992. Dion Hogans, Jr. v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion to supplement counsel of record is granted.

CR-20-55. Scottie Flippo v. State of Arkansas, from Boone County Circuit Court. Appellant's motion to allow late filing of the record is granted.

CR-20-58. Gary Lynn Conley v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion to correct the transcript is granted.

CV-18-786. Tyrome Hurst, Special Administrator of the Estate of Deshun Lamont Hurst v. Riceland Foods, Inc., from Crittenden County Circuit Court. Appellant's motion for extension of time to file supplemental record and appellant's brief is granted. Harrison, J., not participating.

CV-19-805. Jeffery C. Frazier v. State of Arkansas Office of Child Support Enforcement, Jana L. Bland, and Paige E. Bland, from White County Circuit Court. Appellees' motion for extension of time and for corrected brief is granted.

CV-20-96. (In the Matter of P.Q.W., Minor Child) Tyler Samples v. David Lee Ward and Christine Renee Ward, from Clay County Circuit Court, Eastern District. Appellant's motion to seal record is denied.

CV-20-124. David C. Stracner v. Stone Bank, Formerly Known as Ozark Heritage Bank, N.A., from Stone County Circuit Court. Joint motion to stay appeal is granted.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-18-401. Shirley Lyle Hitt v. James Waller Lyle, Individually; Ann Lyle, Individually; Katherine Lyle Harbison, Individually; and d/b/a Lyle Farms Partnership, from Jackson County Circuit Court.

CV-19-219. Natalie Tompkins v. Lawrence Tompkins, from Garland County Circuit Court.

CV-19-349. United Services Automobile Association v. Mary Norton, from Pulaski County Circuit Court, Fifth Division.

CV-19-589. LaChe Price v. Christopher D. Price, from Pulaski County Circuit Court, Fourteenth Division.

CR-19-504. Terry Lee Gilbreth v. State of Arkansas, from Washington County Circuit Court. Motion of Charles D. Hancock for attorney's fees.

CR-19-614. N.R. v. State of Arkansas, from Washington County Circuit Court. Motion of William J. Ogles for attorney's fees.

CR-19-651. Jessie Steen v. State of Arkansas, from Desha County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-19-854. Orlando A. Dominguez v. State of Arkansas, from Howard County Circuit Court. Motion to file an amended brief of the appellant.

CR-19-861. Mochariee West v. State of Arkansas, from Garland County Circuit Court. Amended motion of Mark S. Fraiser to withdraw as attorney on direct appeal.

CR-19-900. Chelsea Davis v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion to file belated brief.

CR-20-39. Timothy Moore v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Appellant's pro se motion for an extension of time.

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CR-20-39. Timothy Moore v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Appellant's pro se motion for transcript.

CR-20-63. Bryce Allen v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se motion for extension of time to file brief.

CR-20-94. Kevin Deshaun Everett v. State of Arkansas, from Garland County Circuit Court. Motion of Timothy Beckham to withdraw as attorney on direct appeal.

CR-20-129. Jonathan Welborn v. State of Arkansas, from Saline County Circuit Court. Motion of Mark F. Hampton to be relieved as attorney of record for appeal.

CR-20-153. Isaac Strong v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant's petition for writ of certiorari to complete the record on appeal.

CV-19-192. Shelter Mutual Insurance Company v. Marnette Ragon and William Ragon, from Pulaski County Circuit Court, Second Division. Suggestion of death upon the record.

CV-19-788. Arthur Joyce v. Northeast Arkansas Community Mental Health Center, Inc., d/b/a Mid-South Health Systems, Inc.; Alliance of Nonprofits for Insurance, Risk Retention Group; John Doe I, John Doe II, and John Doe III; and Steven D. Billups, from Crittenden County Circuit Court. Motion of separate appellees Northeast Arkansas Community Health Systems, Inc.; and Alliance of Nonprofits for Insurance, Risk Retention Group to supplement the record and for permission to file supplemental addendum and brief.

CV-20-1. Kevin J. Pennington v. Arkansas Game and Fish Commission, from Pulaski County Circuit Court, Twelfth Division. Appellant's pro se motion for reconsideration.

CV-20-34. Quaker Chemical Corporation, Insurance Company of the State of Pennsylvania, and AIG Claims, Inc. v. Rosemary Allen, from the Arkansas Workers' Compensation Commission. Appellants' motion to stay briefing schedule and request for remand to the Arkansas Workers' Compensation Commission.

CV-20-135. Brittany Harmon v. Arkansas Department of Human Services and Minor Children, from Faulkner County Circuit Court. Appellees' motion to dismiss appeal.

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CASES SUBMITTED

CR-19-552. Dylan Wayne Carpenter v. State of Arkansas, from Garland County Circuit Court.

CR-19-634. Mark. A. Watts v. State of Arkansas, from Yell County Circuit Court, Northern District.

CR-19-755. George Burns v. State of Arkansas, from Little River County Circuit Court.

CR-19-787. Anastasia Gonzales v. State of Arkansas, from Crawford County Circuit Court.

CV-18-926. Joseph Charles “Joey” Barr v. FPI Arkansas, LLC; and FPI Colorado, LLC, from Yell County Circuit Court, Northern District.

CV-19-302. Josephy Wayne Ponder v. Haley McCain, from St. Francis County Circuit Court.

CV-19-306. Hermitage Properties, LLC; Hermitage Operating, LLC, d/b/a Endurance Sands and Logistics; Hermitage Newark, LLC; Dale E. Behan; and Volvo Financial Services, a division of VFS US, LLC v. Arkansas Sand Company, from St. Francis County Circuit Court.

CV-19-363. William B. Cherry v. Rhonda Marlene Cherry (now Fulkroad), from Columbia County Circuit Court.

CV-19-367. Elizabeth Jane Callan v. Jason Elliott Callan, from Pulaski County Circuit Court, Third Division.

CV-19-586. Erica Gray, as Parent and Natural Guardian of B.B., a Minor v. Marianna Housing Authority, from Lee County Circuit Court.

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

E-19-77. Danny Bugg v. Director et al.

E-19-274. Ricky Hokes v. Director et al.

E-19-275. Marquis Smith v. Director et al.

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CASES SUBMITTED

E-19-276. Antrelle Baker v. Director et al.

E-19-277. Jeffery Watson v. Director et al.

E-19-278. Charkesetta Coder v. Director et al.

E-19-279. John Kidd v. Director et al.

E-19-280. Hedoris Wilborn v. Director et al.

E-19-281. Valerie Oji v. Director et al.

E-19-282. Rosetta Davis v. Director et al.