

Cite as 2020 Ark. App. 201
ARKANSAS COURT OF APPEALS
DIVISION IV
No. CV-19-328

AMEEN OLWAN ET AL.

APPELLANT

V.

ARKANSAS TOBACCO CONTROL
BOARD

APPELLEE

Opinion Delivered: March 18, 2020

APPEAL FROM THE PULASKI COUNTY
CIRCUIT COURT,
SECOND DIVISION
[NO. 60CV-17-6533]

HONORABLE CHRISTOPHER
CHARLES PIAZZA, JUDGE

DISMISSED WITHOUT PREJUDICE

WAYMOND M. BROWN, Judge

The Arkansas Tobacco Control Board (Board) revoked appellant Ameen Olwan’s permits to sell tobacco products after finding that he “was in possession of . . . tobacco products with unpaid [excise] taxes, and he purchased tobacco, vapor, or alternative nicotine products from unlicensed dealers.” Following Olwan’s petition for judicial review of the administrative adjudication as permitted under Arkansas Code Annotated section 25-15-212 (Supp. 2019), the Pulaski County Circuit Court remanded the case to the Board for new hearings. Olwan appeals the circuit court’s order of remand; however, because he appeals from a nonfinal order, we must dismiss the appeal.

On December 18, 2018, the circuit court entered an order that states the following:

This case is remanded to the Arkansas Tobacco Control Board for two new hearings; the first is to decide whether revocation of Petitioner's tobacco permits was proper and the second to rehear Arkansas Tobacco Control Case Number 2016-0227.

A circuit court's order of remand to an administrative agency for further proceedings is not a final, appealable order.¹ Because the order is not final, we lack jurisdiction to hear the present appeal.

Dismissed without prejudice.

KLAPPENBACH and VAUGHT, JJ., agree.

Hancock Law Firm, by: *Charles D. Hancock*, for appellant.

Lyndsey D. Burnette, Arkansas Tobacco Control, for appellee.

¹*Ark. Ins. Dep't v. Henley*, 2016 Ark. App. 60, 481 S.W.3d 467.