

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF AUGUST 26, 2020

RITA W. GRUBER, CHIEF JUDGE:

[CR-19-354](#). Clarence Curtis v. State of Arkansas, from Hot Spring County Circuit Court. Affirmed. Abramson and Klappenbach, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-19-353](#). Clarence Curtis v. State of Arkansas, from Hot Spring County Circuit Court. Affirmed. Gruber, C.J., and Klappenbach, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-19-877](#). Richard Shreck v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Switzer and Vaught, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CV-19-818](#). Malvern Operations, LLC, d/b/a Arbor Oaks Healthcare and Rehabilitation Center; Sub-Ten Holdings, LLC; JEJ Investments, LLC; John Ponthie; Ross Ponthie; Mark Thompson; and John and Jane Does A–Z v. Anita Moss, Individually and as Special Administratrix of the Estate of Ruby Muhammad, Deceased; and on Behalf of the Wrongful Death Beneficiaries of Ruby Muhammad, from Hot Spring County Circuit Court. Affirmed. Gruber, C.J., and Abramson, J., agree.

MEREDITH B. SWITZER, JUDGE:

[CV-19-781](#). Scott White and Jamie White v. Hunter Owen and John Does Nos. 1–3, from Pulaski County Circuit Court, Second Division. Affirmed. Gladwin and Vaught, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-19-67](#). Terrell Thomas v. State of Arkansas, from Garland County Circuit Court. Affirmed. Hixson and Murphy, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-19-776](#). Brian Keith Rayborn v. State of Arkansas, from Lonoke County Circuit Court. Affirmed. Whiteaker and Murphy, JJ., agree.

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MIKE MURPHY, JUDGE:

[CV-20-32](#). Central Moloney, Inc.; and Risk Management Resources v. Clarence Holmes, from the Arkansas Workers' Compensation Commission. Affirmed. Whiteaker and Hixson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-19-932](#). Jonathan Ralston v. Charles Threet, from Washington County Circuit Court. Affirmed. Virden and Harrison, 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-20-19. Regina Sides v. Director et al.

E-20-20. Regina Sides v. Director et al.

E-20-22. Sharon Possinger v. Director et al.

E-20-23. Dawn Roby v. Director et al.

E-20-24. Dawn Roby v. Director et al.

E-20-25. Vernon McCraney v. Director et al.

E-20-26. Marilyn Daugherty v. Director et al.

E-20-27. Danny Urquhart v. Director et al.

E-20-28. Monique Turner v. Director et al.

E-20-30. Toyce May v. Director et al.

E-20-31. Aminda Rice v. Director et al.

E-20-32. Ella Scruggs v. Director et al.

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CR-19-484. Larry David Davis v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se petition for a writ of certiorari to complete the record and a motion for a complete trial transcript is denied.

CR-19-842. Philip Frederic v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for transcript is denied.

CR-19-959. Kenneth M. Abernathy v. State of Arkansas, from Saline County Circuit Court. Appellant's motion to file belated brief is granted.

CR-19-980. David Reynolds v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to compel and/or expedite ruling is denied. Virden, J., not participating.

CR-20-234. Seth Bradley Smith v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Jason Hutcheson to withdraw as appellant's counsel is granted.

CR-20-397. Dale C. Bartlett v. State of Arkansas, from Monroe County Circuit Court. Appellant's motion for extension of time to return writ of certiorari to complete the record is granted. Final extension.

CR-20-406. Gregory McCree v. State of Arkansas, from Drew County Circuit Court. Motion of Timothy R. Leonard to be relieved and for appointment of new counsel is granted.

CR-20-406. Gregory McCree v. State of Arkansas, from Drew County Circuit Court. Appellant's motion for extension of brief time is granted.

CR-20-465. Antwon Wheaton v. State of Arkansas, from Miller County Circuit Court. Appellant's motion for belated appeal is granted. Joseph Self is appointed as counsel for the appellant. Writ of certiorari to complete the record issued to the circuit clerk and court reporter.

CR-20-479. (In the Matter of the Estate of Herman Pedro Ford, Deceased) Frances Morris Finley v. State of Arkansas, from Pulaski County Circuit Court, Twelfth Division. Appellant's pro se motion to supplement the record is granted. Gruber, C.J., not participating.

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CV-20-24. (In the Matter of the Implementation of Act 464 of 2019 and the Modification of Net Metering Tariffs) Entergy Arkansas, LLC, and Leslie Rutledge, Attorney General v. Arkansas Public Service Commission, from the Arkansas Public Service Commission. Motion of Arkansas Electric Cooperative Corporation for permission to file amicus curiae in support of appellants' brief is denied. Switzer, Hixson, Murphy, and Brown, JJ., would grant. Gruber, C.J., and Abramson and Harrison, JJ., not participating.

CV-20-89. Erik Rye v. Sonia Rye, from Benton County Circuit Court. Appellant's motion for oral argument is denied. Virden and Harrison, JJ., would grant.

CV-20-427. (In the Matter of the Estate of Ethel Mae Nalls Adams, Deceased) Eddie S. Watkins III v. Raymond Adams, Personal Representative of the Estate of Ethel Mae Nalls Adams, Deceased, from Hot Spring County Circuit Court. Appellant's pro se motion for Rule 8 civil procedures stay pending appeal and for appointment of counsel is denied.

CV-20-442. James Willie Sutton, Jr.; Homer Willis; and Lewis Willis, Each in Their Own Respective Individual Capacities; and also, on Behalf of the Heirs, Assigns and Successors of Nathaniel Neal and Emaline Neal (Married Persons, Deceased) v. Jerry D. Pickett and Judy K. Pickett, Married Persons, from Sevier County Circuit Court. Motion of Geoffrey D. Kearney for substitution of counsel is granted.

CV-20-462. Luke Reardon and Elizabeth Reardon v. Holden-Conner Realty Co.; Bratcher Uehling Real Estate, Inc.; and Sue Ellen Burton, from Jackson County Circuit Court. Motion of separate appellee Holden-Conner Realty Co. to dismiss appeal is granted.

CV-20-462. Luke Reardon and Elizabeth Reardon v. Holden-Conner Realty Co.; Bratcher Uehling Real Estate, Inc.; and Sue Ellen Burton, from Jackson County Circuit Court. Motion of separate appellee Bratcher Uehling Real Estate, Inc., to dismiss appeal is granted.

CV-20-488. Dell Griffin, Jr. v. William T. Oliver and Sharilyn Ann Oliver, from Miller County Circuit Court. Appellant's petition for leave to proceed in forma pauperis is denied.

E-20-195. Doug Billups v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

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MOTIONS SUBMITTED

CR-20-64. Henry Williams v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellee's motion to dismiss or, in the alternative, motion for extension of brief time.

CR-20-208. Arthur Trulock v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's pro se motion for appointment of counsel.

CR-20-215. Erskine Flamer, Jr. v. State of Arkansas, from Ashley County Circuit Court. Appellant's second motion for extension of time to file appellant's opening brief.

CR-20-397. Dale C. Bartlett v. State of Arkansas, from Monroe County Circuit Court. Appellant's second motion for extension of time to return writ of certiorari to complete the record.

CR-20-398. Cody Lane Cagle v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se petition for leave to proceed in forma pauperis.

CR-20-491. Christopher W. Terrell v. State of Arkansas, from Poinsett County Circuit Court. Appellant's pro se motion for rule on clerk.

CR-20-498. Scott Dewayne Brookshire v. State of Arkansas, from Garland County Circuit Court. Motion of Brent A. Miller to withdraw as attorney for appellant and stay briefing schedule.

CV-20-293. John Roach v. Joe Roach and James Roach, from Marion County Circuit Court. Appellees' pro se motion requesting the option to include all court documents filed in Marion County Circuit Court case No. 45CV-16-50 in the appellees' brief.

CV-20-293. John Roach v. Joe Roach and James Roach, from Marion County Circuit Court. Appellees' pro se amended motion requesting the option to include all court documents filed in Marion County Circuit Court case No. 45CV-16-50 in the appellees' brief.

CV-20-336. City of Little Rock and Little Rock Police Department v. Charles Starks, from Pulaski County Circuit Court, Sixth Division. Appellee's motion to require appellants to supplement the record to complete it and stay briefing.

CV-20-340. Denita Melvin (Williams) v. Jefferson Comprehensive Care System, Inc.; Midwest Insurance Company; and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Appellees' motion to dismiss.

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MOTIONS SUBMITTED

CV-20-362. Kim Parsons v. Doug Plumley, from Garland County Circuit Court. Appellant's motion to correct the record and for extension of time to file appellant's brief.

CV-20-370. Cheryl Ringo v. Gary Taylor and Sharon Taylor, His Wife; First Community Bank; and Larry D. Milligan and Patricia Milligan, His Wife, from Independence County Circuit Court. Separate appellee Sharon Taylor's combined notice of death on the record and motion for substitution of party.

CV-20-448. Terri Ward v. Brent A. Miller, from Garland County Circuit Court. Appellant's motion to supplement the record.

CV-20-448. Terri Ward v. Brent A. Miller, from Garland County Circuit Court. Appellee's motion to dismiss appeal.

E-20-5. Andrea Tipton v. Director et al., from the Arkansas Board of Review. Petitioner's notice of waiver of briefing and motion for court to rule on record and letter brief.

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CASES SUBMITTED

CR-19-714. Shawn G. Curtis v. State of Arkansas, from Saline County Circuit Court.

CR-19-841. Richard Hyatt v. State of Arkansas, from Saline County Circuit Court.

CR-19-874. Dallas Jackson v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-19-964. Mardriekus Blake v. State of Arkansas, from Crittenden County Circuit Court.

CR-20-17. Charles Mayberry v. State of Arkansas, from Hot Spring County Circuit Court.

CR-20-56. Brian Lauer v. State of Arkansas, from Miller County Circuit Court.

CR-20-141. Lazaro Veneros-Figueroa v. State of Arkansas, from Sevier County Circuit Court.

CV-18-651. Jesse Cureton and Joie Cureton v. Calvin Stout, from Washington County Circuit Court.

CV-19-11. Jesse Cureton and Joie Cureton v. Calvin Stout, from Washington County Circuit Court.

CV-19-539. Ocwen Loan Servicing, LLC; and Wilmington Savings Fund Society, FSB, d/b/a Christina Trust, Not in Its Individual Capacity but Solely in Its Capacity as Owner Trustee of Matawin Ventures Trust Series 2016-2 v. Travis C. Oden and Tina M. Oden, from Saline County Circuit Court.

CV-19-542. David Eversole v. Rita Eversole, from Saline County Circuit Court.

CV-19-737. Anna Sherrill v. Rika Properties, LLC, from Garland County Circuit Court.

CV-19-857. Earl Betts and Amy Betts v. USAA General Indemnity Company, from Benton County Circuit Court.

CV-19-896. Donna Scruggs and Stephanie Evans v. Charles Michael Lewis, Individually and as Personal Representative of the Estate of Charley Lewis, Deceased; Margaret Anne Lewis, Lauren Lewis, and Andrea Lewis, from Jefferson County Circuit Court.

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CASES SUBMITTED

CV-19-927. Kenneth Stephens v. Skylar Wilson, from Faulkner County Circuit Court.

CV-19-936. Bradley Priddy v. Teresa Pflueger, from Saline County Circuit Court.

CV-19-970. Liberty Mutual Insurance Company v. Charlie Youngblood, from Mississippi County Circuit Court, Chickasawba District.

CV-20-154. Thomas Locke v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court.

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

E-20-40. Gary Miller v. Director et al.

E-20-41. Alexis Morris v. Director et al.

E-20-42. Vivian Neal v. Director et al.

E-20-44. Krystal Norman v. Director et al.

E-20-45. Meko Wallace v. Director et al.

E-20-46. Corey Ellison v. Director et al.