

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 9, 2020

RITA W. GRUBER, CHIEF JUDGE:

[CR-19-964](#). *Mardriekus Blakes v. State of Arkansas*, from Crittenden County Circuit Court. Supplemental addendum ordered. Abramson and Klappenbach, JJ., agree.

[CV-19-896](#). *Donna Scruggs; Stephanie Evans; Alan Frazier; and Edward D. Jones & Co., a Limited Partnership 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. Affirmed. Abramson and Klappenbach, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-19-874](#). *Dallas Quincy Jackson v. State of Arkansas*, from Pulaski County Circuit Court, First Division. Affirmed. Gruber, C.J., and Klappenbach, J., agree.

BART F. VIRDEN, JUDGE:

[CR-20-56](#). *Brian Lauer v. State of Arkansas*, from Miller County Circuit Court. Supplementation of record and addendum ordered. Harrison and Brown, JJ., agree.

[CV-19-906](#). *Stephen C. Riggs v. Susan Carter Riggs*, from Craighead County Circuit Court, Western District. Affirmed. Harrison and Brown, JJ., agree.

[CV-19-936](#). *Bradley Priddy v. Teresa Priddy (Pflueger)*, from Saline County Circuit Court. Affirmed. Harrison and Brown, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-19-389](#). *Frederick R. Potter, Individually and as Trustee of the Frederick R. Potter Revocable Trust Established September 10, 2004; and as Trustee of the Fred Potter Revocable Trust Established July 10, 2013 v. Cassaundra Holmes, Individually and as Trustee of the Betty L. Potter Revocable Trust Established September 10, 2004; Thomas Wright; and Kevin Wright*, from Scott County Circuit Court. Affirmed. Switzer and Vaught, JJ., agree.

[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 Series 2016-2 v. Travis Oden and Tina M. Oden*, from Saline County Circuit Court. Affirmed. Switzer and Vaught, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 9, 2020

BRANDON J. HARRISON, JUDGE:

[CV-20-154](#). Thomas Locke v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Affirmed. Virden and Brown, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-20-17](#). Charles Wayne Mayberry v. State of Arkansas, from Hot Spring County Circuit Court. Rebriefing ordered; motion to be relieved denied. Gruber, C.J., and Abramson, J., agree.

[CV-19-542](#). David Eversole v. Rita Eversole, from Saline County Circuit Court. Rebriefing ordered. Gruber, C.J., and Abramson, J., agree.

MEREDITH B. SWITZER, JUDGE:

[CV-18-880](#). Frederick R. Potter, Individually and as Trustee of the Frederick R. Potter Revocable Trust Established September 10, 2004; and as Trustee of the Fred Potter Revocable Trust Established July 10, 2013 v. Cassaundra Holmes, Individually and as Trustee of the Betty L. Potter Revocable Trust Established September 10, 2004; Thomas Wright; and Kevin Wright, from Scott County Circuit Court. Affirmed. Gladwin and Vaught, JJ., agree.

[CV-19-441](#). John Anthony Middleton v. Cathy J. Middleton, from Pulaski County Circuit Court, Sixteenth Division. Affirmed. Abramson and Virden, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-19-841](#). Richard Douglas Hyatt v. State of Arkansas, from Saline County Circuit Court. Affirmed. Gladwin and Switzer, JJ., agree.

[CV-18-702](#). Frederick R. Potter, Individually and as Trustee of the Frederick R. Potter Revocable Trust Established September 10, 2004; and as Trustee of the Fred Potter Revocable Trust Established July 10, 2013 v. Cassaundra Holmes, Individually and as Trustee of the Betty L. Potter Revocable Trust Established September 10, 2004; Thomas Wright; and Kevin Wright, from Scott County Circuit Court. Affirmed; motion to dismiss denied. Gladwin and Switzer, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 9, 2020

KENNETH S. HIXSON, JUDGE:

[CR-20-141](#). Lazaro Veneros-Figueroa v. State of Arkansas, from Sevier County Circuit Court. Certified supplemental record ordered; rebriefing ordered. Whiteaker and Murphy, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-19-714](#). Shawn Curtis v. State of Arkansas, from Saline 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-20-40. 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.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 9, 2020

PER CURIAM ORDERS

REHEARING GRANTED: Petition for rehearing was granted today in the following case.

[CV-19-625](#). Charles Symanietz v. Deborah Symanietz, from Benton County Circuit Court.

Substituted opinion on grant of rehearing; affirmed. Abramson, Klappenbach, Whiteaker, Vaught, and Brown, JJ., agree. Virden, Harrison, and Hixson, JJ., dissent. See **substituted opinion** issued this date.

CR-20-384. Joshua Michael Miller v. State of Arkansas, from Baxter County Circuit Court. Appellant's motion to supplement record is granted. Virden, J., not participating.

CR-20-385. Joshua Michael Miller v. State of Arkansas, from Baxter County Circuit Court. Appellant's motion to supplement record is granted. Virden, J., not participating.

CR-20-387. Joshua Michael Miller v. State of Arkansas, from Baxter County Circuit Court. Appellant's motion to supplement record is granted. Virden, J., not participating.

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 is granted.

CR-20-505. Clarence Eugene Turnbo v. State of Arkansas, from Pulaski County Circuit Court, First Division. Motion for access to sealed exhibit is granted. See *Vaughn v. State*, 2019 Ark. App. 361; *Vaughn v. State*, 2020 Ark. App.185, 598 S.W.3d 549.

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

CV-20-316. Betty Charles v. James Shelton Ellis, Trustee of the James Shelton Ellis Trust CUI 9/2/1998, from Ouachita County Circuit Court. Appellant's pro se motion for supplemental records is denied.

CV-20-443. Patrick Minahan v. Rachel Leigh Williams, from Pope County Circuit Court. Joint motion to seal the briefing and transcript is granted.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 9, 2020

PER CURIAM ORDERS

CV-20-451. Mayor Tony Cole, Individually and in His Capacity as Mayor of the City of Huttig v. Byron Sartor and City of Huttig, from Union County Circuit Court. Appellant's motion to voluntarily dismiss appeal without prejudice and remand to circuit court. Appeal dismissed.

CV-20-488. Dell Griffin, Jr. v. William T. Oliver and Sharilyn Ann Oliver, from Miller County Circuit Court. Appellant's pro se motion to request clarification of denial of petition is denied.

CV-20-488. Dell Griffin, Jr. v. William T. Oliver and Sharilyn Ann Oliver, from Miller County Circuit Court. Appellant's pro se motion to extend time to pay filing is moot.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 9, 2020

MOTIONS SUBMITTED

CR-19-433. Tracy Lee Bronson v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion to recall mandate.

CR-20-308. Benjamin Pitts v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion for appointment of counsel.

CR-20-398. Cody Lane Cagle v. State of Arkansas, from Faulkner County Circuit Court. Appellant's request to stay brief.

CR-20-489. Robert Hurd v. State of Arkansas, from White County Circuit Court. Motion of Ellen Reif to withdraw as attorney on direct appeal and motion for extension of time.

CV-19-686. Elaine Petroleum Distributor, Inc.; and Qingdao Xiyangmen Double Camel Tyre Co., LTD v. Sandra Kaye Freeman Synder, as Administratrix of the Estate of Michael Synder, from Phillips County Circuit Court. Joint motion of Elaine Petroleum Distributor, Inc.; and Sandra Kaye Freeman Snyder, as Administratrix of the Estate of Michael Synder to dismiss appeal and portion of cross-appeal.

CV-20-112. Tammy Davis and Alice Barclay v. Glenda Bassett, from Boone County Circuit Court. Appellee's motion to place appellants' original brief and addendum under seal.

CV-20-445. Marsha G. Frazier v. Sameera Omar; R&T Insurance Agency; Imperial Fire and Casualty Insurance Company; and National General Insurance Company, from Jefferson County Circuit Court. Appellant's pro se motion for reconsideration for notice of appeal to proceed.

CV-20-488. Dell Griffin, Jr. v. William T. Oliver and Sharilyn Ann Oliver, from Miller County Circuit Court. Appellant's pro se motion for writ of certiorari to complete the record.

CV-20-488. Dell Griffin, Jr. v. William T. Oliver and Sharilyn Ann Oliver, from Miller County Circuit Court. Appellant's pro se amended motion for writ of certiorari to complete the record.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 9, 2020

CASES SUBMITTED

CR-19-626. Delvin Neal v. State of Arkansas, from Drew County Circuit Court.

CR-19-829. Omar Ali v. State of Arkansas, from Hot Spring County Circuit Court.

CR-19-928. James Madison Speaks v. State of Arkansas, from Conway County Circuit Court.

CR-20-36. Richard S. Gross v. State of Arkansas, from Washington County Circuit Court.

CR-20-52. Rachel Callaway v. State of Arkansas, from Baxter County Circuit Court.

CR-20-74. Jimmie Holland v. State of Arkansas, from Washington County Circuit Court.

CR-20-194. Malachi Muhammad v. State of Arkansas, from Monroe County Circuit Court.

CV-19-572. Danielle Rose Rowe v. Jamie Ray Rowe, from White County Circuit Court.

CV-19-726. Christopher Springer v. Dr. Charles Jenson, M.D., from Pulaski County Circuit Court, Sixteenth Division.

CV-19-785. Tyrice Brown v. Victoria McCauley, from Faulkner County Circuit Court.

CV-19-819. David L. Eddy, P.A. v. Jennifer Haley, in Her Official Capacity as Tax Collector of Pope County, Arkansas, from Pope County Circuit Court.

CV-19-866. Ashley Roper v. Travis O'Neal, from Sebastian County Circuit Court, Fort Smith District.

CV-19-938. Tashyra Powell v. Arkansas Department of Human Services and Minor Child, from Logan County Circuit Court, Northern District.

CV-20-21. (In the Matter of the Adoption of B.C., a Minor) Sarah Cater v. Edwin Slater, from Pulaski County Circuit Court, Third Division.

CV-20-128. Craighead County Judge, Association of Arkansas Counties Workers' Compensation Trust, and AAC Risk Management Services v. Garland Tipton, from the Arkansas Workers' Compensation Commission.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 9, 2020

CASES SUBMITTED

CV-20-183. Joel Guerrero v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

CV-20-222. Jason Skalski v. Arkansas Department of Human Services and Minor Child, from Saline County Circuit Court.

CV-20-250. Kelly Trogstad v. Arkansas Department of Human Services and Minor Children, from Miller County Circuit Court.

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

E-20-53. Vivian Anderson v. Director et al.

E-20-54. Gregory Junearick v. Director et al.

E-20-55. Marquis Harvey v. Director et al.

E-20-56. Kheilah Rosario v. Director et al.

E-20-57. Jimmy Sands v. Director et al.

E-20-58. Jimmy Sands v. Director et al.