

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 30, 2020

RITA W. GRUBER, CHIEF JUDGE:

[CR-19-928](#). James Madison Speaks v. State of Arkansas, from Conway County Circuit Court. Affirmed. Vaught and Murphy, JJ., agree.

[CR-20-106](#). Shawn Collins v. State of Arkansas, from White County Circuit Court. Affirmed. Vaught and Murphy, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-19-972](#). Tanya Warbritton v. State of Arkansas, from Clay County Circuit Court, Eastern District. Affirmed; motion to withdraw granted. Switzer and Brown, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-19-905](#). Joseph Anthony Brehm v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Gladwin and Whiteaker, JJ., agree.

[CV-20-250](#). Kelly Trogstad v. Arkansas Department of Human Services and Minor Children, from Miller County Circuit Court. Affirmed. Gladwin and Whiteaker, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-20-172](#). Daniel J. Potter v. Kelly Services, Inc.; Esis, Inc.; and Death and Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Virden and Whiteaker, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CR-19-42](#). Terrance Billups v. State of Arkansas, from Benton County Circuit Court. Affirmed. Klappenbach and Hixson, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-19-888](#). Adrian Deshean Johnson v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Harrison and Hixson, JJ., agree.

[CV-19-804](#). Bert Dickey IV and Lulyne Hicky v. Gary Lillard; Brenda Lillard; and Tommy Land, Commissioner of State Lands, from Cleburne County Circuit Court. Affirmed. Harrison and Hixson, JJ., agree.

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MEREDITH B. SWITZER, JUDGE:

[CV-19-728](#). Surya Janjam v. Gosike Raja Rajeshwari, from Benton County Circuit Court. Affirmed. Abramson and Brown, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-20-65](#). Trina Honeycutt v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Virden and Gladwin, JJ., agree.

[CV-20-90](#). Tyrum Jones/McDowell v. Dexter Payne, Director, Arkansas Department of Correction, from Chicot County Circuit Court. Affirmed. Virden and Gladwin, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-19-912](#). Torrence R. Bishop, Mary Elizabeth Bishop, and Paul Gillihan v. Robert Smith and Sandra Smith, from Izard County Circuit Court. Affirmed. Gruber, C.J., and Murphy, J., agree.

KENNETH S. HIXSON, JUDGE:

[CR-19-600](#). Keraig House v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion granted. Harrison and Klappenbach, JJ., agree.

[CV-20-286](#). Cuteria Wheeler v. Arkansas Department of Human Services and Minor Child, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Klappenbach and Brown, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-20-66](#). Sabrina Anderson v. State of Arkansas, from Drew County Circuit Court. Affirmed. Gruber, C.J., and Vaught, J., agree.

WAYMOND M. BROWN, JUDGE:

[CV-20-111](#). Kristy Schneider and Erik Schneider v. Arkansas Department of Human Services and Minor Child, from Saline County Circuit Court. Affirmed. Abramson and Switzer, JJ., agree.

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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-20-59. Theresa Eskew v. Director et al.

E-20-60. Roderick Thompson v. Director et al.

E-20-61. Betty Lewis v. Director et al.

E-20-62. Darrell Smallwood v. Director et al.

E-20-63. David Lloyd v. Director et al.

E-20-65. David Lloyd v. Director et al.

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PER CURIAM ORDERS

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

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.

CV-20-78. Leroy Calhoun v. Area Agency on Aging of Southeast Arkansas, from the Arkansas Workers' Compensation Commission. Gruber, C.J., not participating.

CR-19-433. Tracy Lee Bronson v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion requesting copy of record and brief is denied. Switzer, J., not participating.

CR-20-207. Joseph Evan Bennion v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion for extension of time to file pro se points is granted.

CR-20-330. Markelle Demetrice Davis v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to stay proceedings in this court, reinvest jurisdiction in the circuit court to consider a writ of coram nobis, and to supplement the record is denied. Harrison and Hixson, JJ., would grant. Switzer, J., not participating.

CR-20-431. Octavia Lasha Johnson v. State of Arkansas, from Faulkner County Circuit Court. Appellant's petition for a writ of certiorari to complete the record treated as a motion to settle the record and is granted.

CR-20-431. Octavia Lasha Johnson v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to stay the briefing schedule is granted.

CR-20-486. Larry David Davis v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se motion for extension of time to file appellant's brief is granted.

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CR-20-505. Clarence Turnbo v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion for extension of time to file brief is granted.

CR-20-534. Larry David Davis v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se motion for belated appeal is denied.

CR-20-534. Larry David Davis v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se amendment to motion for belated appeal is denied.

CV-20-18. Bronco Industrial Services, LLC; Gray Insurance Company; and Cannon Cochran Management Services v. James Brooks, from the Arkansas Workers' Compensation Commission. Appellants' motion to proceed with appeal is granted. The clerk is directed to reset the briefing schedule.

CV-20-251. (In the Matter of the Hamilton Living Trust Dated September 22, 2013) Larry Hamilton v. Bank of the Ozarks; Ellen B. Brantley, Successor Trustee of the Hamilton Living Trust Dated September 22, 2013; and Susan Cossey, from Pulaski County Circuit Court, Fifteenth Division. Appellant's pro se motion for rule on clerk, to strike certain parties or in the alternative, to restyle the case and incorporated brief is denied. Switzer, J., not participating.

CV-20-251. (In the Matter of the Hamilton Living Trust Dated September 22, 2013) Larry Hamilton v. Bank of the Ozarks; Ellen B. Brantley, Successor Trustee of the Hamilton Living Trust Dated September 22, 2013; and Susan Cossey, from Pulaski County Circuit Court, Fifteenth Division. Appellant's pro se motion to supplement the record is denied. Switzer, J., not participating.

CV-20-417. Kristina Bonds (now Emmons) v. Clay Bonds, from Pope County Circuit Court. Appellant's motion to supplement the record is granted. Harrison, J., not participating.

CV-20-490. (In the Matter of Michael Gordon Maddin, an Endangered or Impaired Adult) Michael Gordon Maddin v. Arkansas Department of Human Services, from Faulkner County Circuit Court. Agreed motion to substitute appellee counsel is granted.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-19-712. Robert Powell v. State of Arkansas, from White County Circuit Court.

CV-19-629. County Club Gardens, LLC, d/b/a Lake Hamilton Health and Rehab; Central Arkansas Nursing Centers, Inc.; Nursing Consultants, Inc.; and Country Club Manor, LLC v. D'Ann Pelton Alexander, as Special Administrator of the Estate of Mary Elizabeth Pelton and on Behalf of the Wrongful Death Beneficiaries of Mary Elizabeth Pelton, from Garland County Circuit Court.

CV-19-882. Hole in the Wall NWA, LLC v. City of Bella Vista, from Benton County Circuit Court.

CR-11-494. Joe Edward Butler v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Appellant's pro se motion requesting copy of records.

CR-19-67. Terrell Thomas v. State of Arkansas, from Garland County Circuit Court. Motion of T. Clay Janske for attorney's fees.

CR-19-370. Lentonio Marcell Jenner v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for oral argument.

CR-19-685. Chris C. Brissette v. State of Arkansas, from Faulkner County Circuit Court. Appellant counsel's motion and request for attorney fees.

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

CR-20-398. Cody Lane Cagle v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to withdraw counsel.

CR-20-398. Cody Lane Cagle v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for postconviction for ineffective counsel.

CV-19-542. David Eversole v. Rita Eversole, from Saline County Circuit Court. Appellant's motion for additional time for rebriefing and filing of supplemental abstract and addendum, for leave to file a forty-page brief, and to modify the issues on appeal.

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MOTIONS SUBMITTED

CV-19-546. Dominika Szwedo v. Arthur Cyrus, from Pulaski County Circuit Court, Fourteenth Division. Appellee's motion for attorney fees.

CV-20-464. Edward Weeks v. Brittany Weeks (Phillips) and State of Arkansas, Office of Child Support Enforcement, from Drew County Circuit Court. Motion of separate appellee Brittany Weeks (Phillips) to dismiss appeal for want of a final order.

E-20-188. Edward McClendon v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion to include documents and witnesses.

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CR-19-497. Tautiana Porter v. State of Arkansas, from Clark County Circuit Court.

CR-19-579. Alyssia Kirby-Snow v. State of Arkansas, from Baxter County Circuit Court.

CR-19-839. Larry Ray Britt, Jr. v. State of Arkansas, from Boone County Circuit Court.

CR-20-22. Harrell M. McKinney v. State of Arkansas, from Lonoke County Circuit Court.

CR-20-185. Frank P. Campbell v. State of Arkansas, from Carroll County Circuit Court, Eastern District.

CR-20-199. Tommy F. Hamilton v. State of Arkansas, from Hempstead County Circuit Court.

CV-20-37. Cross County School District v. Beth Mann Turbiville, Joseph W. Turbiville, Melissa White, and Arthur C. White, from Cross County Circuit Court.

CV-20-46. Randall McKinnis v. Brenda McKinnis, from Garland County Circuit Court.

CV-20-108. Amorelle Best and John Best v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

CV-20-298. Daniel Baker and Katherine Baker v. Arkansas Department of Human Services and Minor Children, from Greene County Circuit Court.

CV-20-348. Nancy Martinez v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

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

E-20-70. Gary Willis v. Director et al.

E-20-71. Gary Willis v. Director et al.

E-20-72. Gary Willis v. Director et al.

E-20-75. Cortney Wolf v. Director et al.

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E-20-76. Sheri Fleener v. Director et al.

E-20-77. Colbert English v. Director et al.

E-20-78. Vladan Stanimirovic v. Director et al.

E-20-79. Janine Erhardt v. Director et al.

E-20-80. Ruby Fitzwater v. Director et al.

E-20-81. Michael Goins v. Director et al.

E-20-82. Olaseni Bayewumi v. Director et al.

E-20-84. Travis Gage v. Director et al.