

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 7, 2021

RAYMOND ABRAMSON, JUDGE:

[CV-20-45](#). Edward Monk v. Alvernon Rogers, from Pulaski County Circuit Court, Twelfth Division. Affirmed. Barrett and Vaught, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-20-648](#). Kourtney Noe v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District. Affirmed. Virden and Whiteaker, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-20-365](#). Thomas Hartman v. State of Arkansas, Sex Offender Assessment Committee, from Pulaski County Circuit Court, Sixth Division. Rebriefing ordered. Klappenbach and Murphy, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CR-19-811](#). Cortez Barefield v. State of Arkansas, from Phillips County Circuit Court. Affirmed. Abramson and Vaught, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-20-271](#). James Marble, George Michael Steele, and Bobby Dan Price v. Sangalli Private Ventures, LLC; and Joe Summerford, from Washington County Circuit Court. Dismissed without prejudice. Virden and Gladwin, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-19-786](#). Garland Trice Jr., et al. v. Eoies Trice and Ocie Trice, from Lee County Circuit Court. Affirmed. Harrison, C.J., and Gladwin and Murphy, JJ., agree. Whiteaker and Hixson, JJ., dissent.

[CV-20-647](#). Tianna Jackson v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Abramson and Barrett, JJ., agree.

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KENNETH S. HIXSON, JUDGE:

[CV-20-214](#). Cecil A. Osburn v. Pepsi Cola Metro Bottling Co.; Indemnity Ins. Co. of North America Insurance; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Harrison, C.J., and Brown, J., agree.

MIKE MURPHY, JUDGE:

[CV-20-706](#). Kendra Harris and Jason Harris v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Klappenbach and Gruber, JJ., agree.

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PER CURIAM ORDERS

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

CR-20-426. Geralrod Williams v. State of Arkansas, from Hot Spring County Circuit Court.

CV-19-134. Kimbro Stephens Insurance Trust and A.K. Tennessee Irrevocable Residuary Trust v. James E. Smith, Jr.; Kimberly Woodyard; and Smith Akins & Gladden, P.A., from Garland County Circuit Court. Murphy, J., not participating.

CV-19-635. Fred N. Bollinger, Jr.; Bollinger Lone Oak, Inc.; and Bollinger Partners, Inc. v. Farm Credit Midsouth, PCA; and Travelers Casualty & Surety Company of America, from Crittenden County Circuit Court.

E-20-280. Jaciade Simmons v. Director et al., from the Arkansas Board of Review.

CR-98-756. Dwight W. Gay v. State of Arkansas, from White County Circuit Court. Pro se motion to dismiss treated as a motion to seal is denied.

CR-09-1143. Timothy Harris v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion pursuant to Rule 19 of the Arkansas Rules of Appellate Procedure is moot. Whiteaker and Hixson, JJ., would dismiss.

CR-19-881. Jordan Adcock v. State of Arkansas, from Conway County Circuit Court. Motion of Gary Potts for costs and attorney fees is granted. Allowed \$1800.00. Virden, J., not participating.

CR-19-959. Kenneth M. Abernathy v. State of Arkansas, from Saline County Circuit Court. Motion of F. Parker Jones for attorney's fees is granted. Allowed \$2000.00.

CR-19-967. Gregory Hampton v. State of Arkansas, from Clay County Circuit Court, Western District. Motion of Kirk Lonidier for attorney's fee is granted. Allowed \$2000.00.

CR-20-63. Bryce Allen v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se motion for rehearing treated as pro se motion for reconsideration is denied.

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CR-20-605. Jarmer Dewayne Roberson v. State of Arkansas, from Drew County Circuit Court. Appellant's pro se motion to relieve counsel is denied.

CR-20-605. Jarmer Dewayne Roberson v. State of Arkansas, from Drew County Circuit Court. Appellant's pro se petition for writ of certiorari is denied.

CR-20-729. Frankie Paul DeJohn v. State of Arkansas, from Washington County Circuit Court. Appellant's motion to supplement counsel of record is granted.

CR-21-2. Dylan Goodwin v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for extension of time to supplement the record and file appellant's brief is granted.

CR-21-61. Gary Chambers v. State of Arkansas, from Clark County Circuit Court. Appellant's pro se motion for appointment of counsel is denied.

CR-21-85. Anthony Beard v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's motions to supplement the record and for extension of time to file the appellant's brief are granted.

CV-20-218. Don Randall Jackson (Deceased) v. Smiley Sawmill, LLC; and Technology Insurance Company, from the Arkansas Workers' Compensation Commission. David Koehler's motion to withdraw as counsel is granted.

CV-20-575. Dee Blakely v. Arkansas Children's Hospital, from Pulaski County Circuit Court, Sixth Division. David Koehler's motion to withdraw as counsel is granted. Virden and Gruber, JJ., not participating.

CV-20-611. Gerber Products Company v. Alberici Constructors, Inc.; CECO Concrete Constructions, LLC; and SSOE, Inc., from Sebastian County Circuit Court, Fort Smith District. Joint motion for limited remand to the circuit court. Appeal dismissed. Harrison, C.J., and Hixson, J., not participating.

CV-20-625. Brandon Barrs v. Laura Todd; Baptist Health Medical Center; and North Little Rock Medical Center, from Lonoke County Circuit Court. Appellant's motion to file abstract and brief is granted.

CV-20-696. Pennsylvania Lumbermens Mutual Insurance Company v. WestRock CP, LLC; and Philadelphia Indemnity Insurance Company, from Drew County Circuit Court.

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Appellees' motion to dismiss appeal is granted. Virden, Barrett, and Brown, JJ., would pass the motion until the case is submitted.

CV-20-696. Pennsylvania Lumbermens Mutual Insurance Company v. WestRock CP, LLC; and Philadelphia Indemnity Insurance Company, from Drew County Circuit Court. Motion of separate appellee Philadelphia Indemnity Insurance Company to stay briefing schedule is moot.

CV-21-65. Christy Ann Kelley v. Arkansas Department of Human Services and Minor Children, from Searcy County Circuit Court. Appellant's motion to supplement the record, or in the alternative, motion to correct the record is denied.

CV-21-87. (In the Matter of the Estate of John Z. Tackett, Jr., Deceased) Cody Tackett and Toni Tackett Womble v. Amy Freedman, Special Administratrix of the Estate of John Z. Tackett, Jr., Deceased; Miller-Claborn Oil Distributing Company, Inc.; and Melissa Wright Tackett, from Sevier County Circuit Court. Motion of separate appellee Miller-Claborn Oil Distributing Company, Inc., to supplement the record is denied. Barrett, J., not participating.

CV-21-107. Anthony Lanos v. Geri Lanos, from Crittenden County Circuit Court. Appellant's pro se motion requesting to be declared indigent by the court is denied.

CV-21-107. Anthony Lanos v. Geri Lanos, from Crittenden County Circuit Court. Appellant's pro se motion to appeal and overturn divorce ruling is denied.

CV-21-107. Anthony Lanos v. Geri Lanos, from Crittenden County Circuit Court. Appellant's pro se amended motion to accept belated appeal and rule on clerk and to overturn divorce ruling is denied.

CV-21-107. Anthony Lanos v. Geri Lanos, from Crittenden County Circuit Court. Appellant's pro se motion to extend the time for filing appeal and designation of court records is denied.

CV-21-111. Calvin Anderson v. Neden Souha Yacine and United Automobile Insurance Company, from Pulaski County Circuit Court, Twelfth Division. Appellees' motion to dismiss appeal is granted.

E-21-104. Bryant Thomas v. Director et al., from the Arkansas Board of Review. Pro se motion to file belated appeal is denied.

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E-21-106. Andrew Todd v. Director et al., from the Arkansas Board of Review. Pro se motion to file belated appeal is denied.

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MOTIONS SUBMITTED

CR-19-676. Michael Hull v. State of Arkansas, from Clay County Circuit Court, Eastern District. Motion of Kirk Lonidier for attorney's fee.

CR-20-301. Anthony Lanos v. State of Arkansas, from Crittenden County Circuit Court. Appellant's pro se motion to accept belated brief.

CR-20-301. Anthony Lanos v. State of Arkansas, from Crittenden County Circuit Court. Appellant's pro se motion to extend the time to supplement the record for review.

CR-20-301. Anthony Lanos v. State of Arkansas, from Crittenden County Circuit Court. Appellant's pro se motion for time to correct brief and motion to extend number of pages for brief.

CR-20-301. Anthony Lanos v. State of Arkansas, from Crittenden County Circuit Court. Appellant's pro se motion to reconsider request to extend time to file brief.

CR-20-330. Markelle Demetrice Davis v. State of Arkansas, from Miller County Circuit Court. Motion of Joseph C. Self for payment of fees.

CR-20-335. Jamie Gordin v. State of Arkansas, from Lonoke County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees.

CR-21-4. Jimmy Sutterfield v. State of Arkansas, from Baxter County Circuit Court. Appellant's motion to dismiss.

CR-21-5. Jimmy Sutterfield v. State of Arkansas, from Baxter County Circuit Court. Appellant's motion to dismiss.

CR-21-6. Jimmy Sutterfield v. State of Arkansas, from Baxter County Circuit Court. Appellant's motion to dismiss.

CV-20-275. Scotty Howell v. Kimberly Howell, from Garland County Circuit Court. Appellee's motion for attorney fees.

CV-20-606. Jody Underwood (Jody Lynn Doran), Individually and as a Shareholder and Member of Conway Precision Products, Inc. v. Jeffrey S. Underwood and Conway Precision Products, Inc., from Faulkner County Circuit Court. Appellees'/cross-appellants' motion to dismiss direct appeal.

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MOTIONS SUBMITTED

CV-20-610. Petit Jean Electric Cooperative Corporation; Entergy Arkansas, LLC; Arkansas Electric Cooperative Corporation; and Scenic Hill Solar, LLC v. Arkansas Public Service Commission; Arkansas Advanced Energy Association, Inc.; Arkansas Electric Energy Consumers, Inc.; National Audubon Society, Inc.; and Sierra Club, from the Arkansas Public Service Commission. Appellees' motion for extension of briefing schedule and expansion of word-count limitation.

CV-20-627. Angela White and McKimney Associates, Realtors, LLC v. Great American Assurance Company, Sabina Pratt, and Raymond Pratt, from Pulaski County Circuit Court, Fifth Division. Motion of separate appellee Great American Assurance Company dismiss appeal and alternative motion for appellant to supplement the record.

CV-20-661. J. David John v. Megan Marie Bolinder, from Benton County Circuit Court. Appellant's motion for supersedeas.

CV-20-733. Larry Phifer v. Janet Ouellette, Personal Representative of the Estate of Ruth Cowin; Richard Cowin; Margot Cowin; Anadarko E&P Company, L.P., a Delaware Partnership; Anadarko Land Corp., a Nebraska Corporation; Chesapeake Exploration, LLC, an Oklahoma Limited Liability Company; Southwestern Energy Company, a Delaware Corporation; and BHP Billiton Petroleum (Fayetteville), LLC, a Delaware Limited Liability Company, from White County Circuit Court. Motion of separate appellees Richard Cowin and Margot Cowin to dismiss appeal with prejudice.

CV-21-51. Darrell James Brown, M.D. v. Crossett Health Foundation d/b/a Ashley County Medical Center, from Ashley County Circuit Court. Appellant's motion to expand word-count limit.

CV-21-63. Rudolph Underwood v. United Services Automobile Association General Indemnity Company; President/CEO Stuart B. Parker, in His Official Capacity; Ryan Milliken; Lacy Law Firm; Mike E. Mullally, Professional Conduct Board Member; Snellgrove, Langley, Culpepper, Williams & Mullally Law Firm; Arkansas Supreme Court Committee on Professional Conduct; Robert Stark Ligon, Jr., Director, in His Official Capacity; Brad Hendricks Law Firm; and Lloyd W. Kitchens, from Craighead County Circuit Court, Western District. Appellant's pro se motion to supplement the first amended complaint into the record.

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MOTIONS SUBMITTED

CV-21-63. Rudolph Underwood v. United Services Automobile Association General Indemnity Company; President/CEO Stuart B. Parker, in His Official Capacity; Ryan Milliken; Lacy Law Firm; Mike E. Mullally, Professional Conduct Board Member; Snellgrove, Langley, Culpepper, Williams & Mullally Law Firm; Arkansas Supreme Court Committee on Professional Conduct; Robert Stark Ligon, Jr., Director, in His Official Capacity; Brad Hendricks Law Firm; and Lloyd W. Kitchens, from Craighead County Circuit Court, Western District. Appellant's pro se amended motion to supplement the first amended complaint into the record.

CV-21-63. Rudolph Underwood v. United Services Automobile Association General Indemnity Company; President/CEO Stuart B. Parker, in His Official Capacity; Ryan Milliken; Lacy Law Firm; Mike E. Mullally, Professional Conduct Board Member; Snellgrove, Langley, Culpepper, Williams & Mullally Law Firm; Arkansas Supreme Court Committee on Professional Conduct; Robert Stark Ligon, Jr., Director, in His Official Capacity; Brad Hendricks Law Firm; and Lloyd W. Kitchens, from Craighead County Circuit Court, Western District. Appellant's pro se motion challenging jurisdiction and integrity of justices and judges elected to the Arkansas Supreme Court and Court of Appeals.

CV-21-133. Montie Hobson v. George Hobson, from Benton County Circuit Court. Appellant's pro se motion for submission under seal.

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CASES SUBMITTED

CR-20-324. Linquinton Dean v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-20-414. Raul Torres-Garcia v. State of Arkansas, from Benton County Circuit Court.

CR-20-489. Robert Hurd v. State of Arkansas, from White County Circuit Court.

CR-20-491. Christopher W. Terrell v. State of Arkansas, from Poinsett County Circuit Court.

CV-20-293. John Roach v. Joe Roach and James Roach, from Marion County Circuit Court.

CV-20-368. Emily Armstrong v. Martel Draper, from Pulaski County Circuit Court, Fifteenth Division.

CV-20-381. Noah Steffy v. Alecia Steffy, from Sebastian County Circuit Court, Fort Smith District.

CV-20-443. Patrick Minahan v. Rachel Leigh Williams, from Pope County Circuit Court.

CV-20-449. Jessica Donham v. Jake Frauenthal, from Benton County Circuit Court.

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.

CV-20-504. Robert Pratt v. Landers McLarty Bentonville, Federated Mutual Insurance Company, and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-20-687. Mark Garner v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

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

E-20-232. Jessie Moore v. Director et al.

E-20-268. Michael Patterson v. Director et al.

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CASES SUBMITTED

E-20-304. Rita Oliver v. Director et al.

E-20-305. Holder Garrett v. Director et al.

E-20-306. Brandi Kopp v. Director et al.

E-20-307. Patrick Creasy v. Director et al.

E-20-308. Jack Gardenhire v. Director et al.

E-20-309. Linda Johnson v. Director et al.

E-20-310. Alexis White v. Director et al.

E-20-311. Jonnetta Wood v. Director et al.

E-20-313. Bobby Effinger v. Director et al.

E-20-314. Kathy Ross v. Director et al.