

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 28, 2021

BRANDON J. HARRISON, CHIEF JUDGE:

[CR-20-341](#). Jamar Conic v. State of Arkansas, from Pulaski County Circuit Court, Eleventh Division. Dismissed with prejudice in part; reversed and remanded in part for resentencing. Virden, Whiteaker, and Hixson, JJ., agree. Gladwin and Brown, JJ., dissent.

[CV-19-949](#). EBF Partners, LLC, a Delaware Limited Liability Company d/b/a Everest Business Funding v. Letha's Pies, LLC, an Arkansas Limited Liability Company; Rhonda Glenn, an Individual; Timothy Glenn, an Individual; John Does 1–10; and John Does 11–20, from Washington County Circuit Court. Reversed and remanded. Hixson and Brown, JJ., agree.

[CV-20-163](#). Jim R. Nash v. John Nash, Jr., and Pam Glover Nash, from Pulaski County Circuit Court, Third Division. Reversed and remanded. Virden, Gladwin, Whiteaker, and Hixson, JJ., agree. Brown, J., dissents.

[CV-20-678](#). Misty Clark v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Abramson and Gruber, JJ., agree.

RAYMOND ABRAMSON, JUDGE:

[CR-20-392](#). Carlton Farris v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Harrison, C.J., and Gruber, J., agree.

BART F. VIRDEN, JUDGE:

[CV-20-482](#). Laramie Ashley v. Jacob K. Ashley, from Franklin County Circuit Court, Southern District. Dismissed. Murphy and Brown, JJ., agree.

[CV-20-667](#). Frances Perry v. Arkansas Department of Human Services and Minor Children, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Gladwin and Whiteaker, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-20-328](#). Phillip Lewis; Phillip Lewis Engineering, Inc.; and ODS Enterprises, LLC v. Dr. Whitney Goodwin and Gayle Goodwin, from Pulaski County Circuit Court, Sixth Division. Appeal dismissed. Barrett and Hixson, JJ., agree.

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MARK KLAPPENBACH, JUDGE:

[CV-20-113](#). Brandon Mounce and Unique Guttering & Insulation, LLC v. Jeronimo Insulating, LLC, d/b/a G&S Insulating, from Washington County Circuit Court. Affirmed. Whiteaker and Vaught, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-20-200](#). Maci Lynn Dickson v. Isaac Franklin Cook, from Benton County Circuit Court. Appeal dismissed. Gladwin and Hixson, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-20-325](#). James D. Merica and Merica Enterprises, LLC v. S&S Home Improvements, Inc., from Pulaski County Circuit Court, Sixteenth Division. Affirmed. Klappenbach and Vaught, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-20-552](#). Shawn C. Sivils v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Klappenbach and Whiteaker, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-20-329](#). Al M. Williams v. Erma Jean Davis; The Estate of Earlee Walker; and Ricco Walker, Administrator of the Estate of Earlee Walker, from Phillips County Circuit Court. Affirmed. Gladwin and Barrett, JJ., agree.

MIKE MURPHY, JUDGE:

[CV-20-638](#). Kacie Scott v. Arkansas Department of Human Services and Minor Children, from Saline County Circuit Court. Affirmed. Virden and Brown, JJ., agree.

[E-20-319](#). Robert Ballard v. Director, Department of Workforce Services, from the Arkansas Board of Review. Reversed and remanded for an award of benefits. Virden and Brown, JJ., agree.

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WAYMOND M. BROWN, JUDGE:

[CV-20-281](#). Kevin Baltz v. Bradley Baltz, from Benton County Circuit Court. Affirmed. Virden and Murphy, 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-20-315. Joanne Gulati v. Director et al.

E-20-316. Manuel Trinidad v. Director et al.

E-20-317. Rodrick Jackson v. Director et al.

E-20-318. Derik Huber v. Director et al.

E-20-320. Lacey Goodson v. Director et al.

E-20-321. Brenda Reams v. Director et al.

E-20-322. Heather Nash v. Director et al.

E-20-323. Meghan Thompson v. Director et al.

E-20-324. Britiny Lea v. Director et al.

E-20-326. Joyce LaFontaine v. Director et al.

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PER CURIAM ORDERS

CR-20-17. Charles Wayne Mayberry v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney's fees is granted. Allowed \$2,000.00.

CR-20-153. Isaac Strong v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant's pro se motion to deny appellant counsel to be relieved as counsel for the purpose of filing a petition for review or a belated petition for review on appellant's behalf is denied. Gruber, J., not participating.

CR-20-358. Melissa Rose Hatley v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$2,000.00.

CR-20-430. Albert Marvin Arellano v. State of Arkansas, Benton County Circuit Court. Motion of Erin Lewis for attorney's fee is granted. Allowed \$2,000.00.

CR-20-434. Alijah Wilder v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$2,000.00.

CR-20-506. Melissa Albertson v. State of Arkansas, from Yell County Circuit Court, Northern District. Motion of Robert N. Jeffrey for attorney's fees is granted. Allowed \$2,000.00. Virden, J., not participating.

CR-20-604. Eddie Dale King v. State of Arkansas, from Jefferson County Circuit Court. Appellant's unopposed combined motion to remand to correct the record or alternative petition for certiorari to complete the record, and motion to stay the briefing schedule is granted. The case is remanded to circuit court to settle the record within thirty days.

CV-20-113. Brandon Mounce; and Unique Guttering & Insulation, LLC v. Jeronimo Insulating, LLC, d/b/a G&S Insulating, Inc., from Washington County Circuit Court. Appellee's motion to expedite the court proceedings is moot. Virden and Gladwin, JJ., not participating.

CV-20-686. Irvin Esparza v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eleventh Division. Appellees' joint motion to dismiss is granted. Gruber, J., not participating.

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PER CURIAM ORDERS

CV-20-688. John Patrick Cullen v. Allstate Insurance Company, Kathy Jo Brinkley, and Katie Knight, from Garland County Circuit Court. Appellant's pro se motion objecting to separate appellee Kathy Jo Brinkley's attorney adopting Allstate's brief in response to complaint is denied.

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. Notice of change of corporate structure is noted. Harrison, C.J., and Abramson, J., not participating.

E-21-145. Mildred Almeida v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion to set a hearing date is denied.

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MOTIONS SUBMITTED

CR-20-266. J.M. v. State of Arkansas, from Washington County Circuit Court. Motion of Brian G. Brooks for attorney fees and costs.

CR-21-159. Antonio Farris v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to proceed with a belated appeal.

CR-21-169. Gabriel J. Lemmonds v. State of Arkansas, from Independence County Circuit Court. Appellant's pro se motion for rule on clerk to permit overlength appeal.

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. Separate appellee/cross-appellant Jeffrey S. Underwood's application for supersedeas.

CV-20-652. Daniel Harden and Suzanne Harden v. Heather Beck, from Franklin County Circuit Court, Northern District. Motion of Christy Comstock to withdraw as counsel for the appellee.

CV-21-88. Amanda Walker and Randalle Sanders v. Arkansas Department of Human Services and Minor Children, from Cross County Circuit Court. Agreed motion to correct the record and to stay the briefing schedule.

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CASES SUBMITTED

CR-20-531. R.G. v. State of Arkansas and Dynastic Wealth Management, LLLP, from Washington County Circuit Court.

CR-20-561. Sherman Jamal Johnson v. State of Arkansas, from Nevada County Circuit Court.

CR-20-658. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court.

CV-19-595. St. Francis River Regional Water District v. City of Marmaduke, Arkansas, from Greene County Circuit Court.

CV-19-851. James Bates v. Kristine Collins Homan, in Her Capacity as Special Administratrix of the Estate of Victor Collins, Deceased, from Benton County Circuit Court.

CV-20-165. David Viele; Beth Viele, Individually and as Trustee for the Helen E. Viele Irrevocable Trust; and Beth's Bail Bonds, Inc. v. Corey Williams, in His Capacity as Vice President of Centennial Bank; Ashley Moran, in Her Capacity as Clerk in and for Centennial Bank; and Centennial Bank, from Pulaski County Circuit Court, Sixth Division.

CV-20-350. Paramount Oil, LLC v. Knox Nelson Oil Co., Inc.; and Retif Oil & Fuel, LLC, from Dallas County Circuit Court.

CV-20-363. (In the Matter of the Estate of John Harold Haverstick) John Haverstick and Jerry Haverstick v. Frances Haverstick, from Woodruff County Circuit Court.

CV-20-523. Jerry Jeffers v. Monica X. Wibbing and State of Arkansas Office of Child Support Enforcement, from Sebastian County Circuit Court, Greenwood District.

CV-20-695. Elizabeth Garner v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

CV-21-12. Heather Shelton v. Arkansas Department of Human Services and Minor Child, from Union County Circuit Court.

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CASES SUBMITTED

CV-21-34. Emily Simmons v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court.

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

E-20-327. Michael Conville v. Director et al.

E-20-328. Marsha Dailey v. Director et al.

E-20-329. Marsha Dailey v. Director et al.

E-20-331. David Scott v. Director et al.

E-20-332. Melvin Hawthorne v. Director et al.

E-20-333. Cali Rios v. Director et al.

E-20-334. Candys Williams v. Director et al.

E-20-335. Jason Santellan v. Director et al.

E-20-336. Cynthia Phelps v. Director et al.

E-20-337. Christopher Curne v. Director et al.

E-20-338. Christopher Curne v. Director et al.

E-20-339. Dawn Norman v. Director et al.