

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MAY 5, 2021

BRANDON J. HARRISON, CHIEF JUDGE:

[CV-20-716](#). Kristin Taylor v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Affirmed; motion to withdraw granted. Abramson and Gruber, JJ., agree.

RAYMOND ABRAMSON, JUDGE:

[CR-19-823](#). Noah Stephen McDaniel v. State of Arkansas, from Madison County Circuit Court. Rebriefing ordered; motion denied. Harrison, C.J., and Gruber, J., agree.

[CR-20-406](#). Gregory McCree v. State of Arkansas, from Drew County Circuit Court. Affirmed. Harrison, C.J., and Gruber, J., agree.

BART F. VIRDEN, JUDGE:

[CR-20-450](#). Christian Heverly v. State of Arkansas, from Garland County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-20-431](#). Octavia Lasha Johnson v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Barrett and Hixson, JJ., agree.

[CV-20-633](#). Tiffany Nicole Robinson v. Arkansas Department of Humans Services and Minor Children, from Crawford County Circuit Court. Affirmed; motion to withdraw granted. Barrett and Hixson, JJ., agree.

MARK KLAPPENBACH, JUDGE:

[CR-20-57](#). Robert Dean Ball v. State of Arkansas, from Crawford County Circuit Court. Reversed. Whiteaker and Vaught, JJ., agree.

[CR-20-486](#). Larry David Davis v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Whiteaker and Vaught, JJ., agree.

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MARK KLAPPENBACH, JUDGE: (Continued)

[CV-20-368](#). Emily Armstrong v. Martel Draper, from Pulaski County Circuit Court, Fifteenth Division. Affirmed. Gladwin, Barrett, and Whiteaker, JJ., agree. Vaught and Hixson, JJ., dissent.

[E-20-325](#). Douglas Van Venrooij v. Director, Division of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Whiteaker and Vaught, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-20-103](#). Melissa Joyner v. State of Arkansas, from Hot Spring County Circuit Court. Affirmed; motion to withdraw granted. Harrison, C.J., and Abramson, J., agree.

[CR-20-570](#). Tiffany Harris v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Harrison, C.J., and Abramson, J., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CR-20-726](#). Michelle Welch v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Gladwin and Hixson, JJ., agree.

[E-20-278](#). Carly Bright v. Director, Division of Workforce Services; and Catfish Hole Fayetteville, Inc., from the Arkansas Board of Review. Affirmed. Gladwin and Hixson, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-20-131](#). Ronald Huggins v. State of Arkansas, from the Hot Spring County Circuit Court. Affirmed; motion to withdraw granted. Klappenbach and Vaught, JJ., agree.

[CR-20-730](#). Fred William English v. State of Arkansas, from Craighead County Circuit Court, Eastern District. Affirmed. Klappenbach and Vaught, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-20-455](#). Mark Morgan v. State of Arkansas, from Benton County Circuit Court. Affirmed. Klappenbach and Whiteaker, JJ., agree.

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LARRY D. VAUGHT, JUDGE: (Continued)

[CR-20-614](#). Anthony Philips v. State of Arkansas, from Nevada County Circuit Court. Affirmed. Klappenbach and Whiteaker, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-20-99](#). Malvin Bynum v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Gladwin and Barrett, JJ., agree.

[CR-20-485](#). Ladarius Burnette v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed. Gladwin and Barrett, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-20-722](#). Tyrique K. Skinner v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Virden and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-19-923](#). William Sterling Cook v. State of Arkansas, from Poinsett County Circuit Court. Affirmed; motion to withdraw granted. Virden and Murphy, JJ., agree.

[CR-20-571](#). Marques Johnson v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Virden and Murphy, JJ., agree.

[CV-20-289](#). Carolyn Johnson, Willie Milton, Diamond Milton, Lennox Milton, and Fabien Burnett v. Misty Sanders and Charles Lee Sanders, from Pulaski County Circuit Court, Ninth Division. Affirmed. Virden, Gladwin, and Whiteaker, JJ., agree. Hixson, J., concurs. Harrison, C.J., dissents.

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PER CURIAM ORDERS

CR-20-266. J.M. v. State of Arkansas, from Washington County Circuit Court. Motion of Brian G. Brooks for attorney fees and costs is granted. Allowed \$2,000.00.

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 is denied. Abramson, J., not participating.

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 is denied.

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 is granted. Stay issued upon deposit in the amount of \$37,500.00 into the registry of the Faulkner County Circuit Court. Whiteaker, J., would deny.

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 is granted. Abramson, J., not participating.

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. The case is remanded to circuit court to settle the record. Gruber, J., not participating.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-20-550. Margaret E. Nalley v. Michael Adams, from Pulaski County Circuit Court, Fourteenth Division.

E-20-313. Bobby Effinger v. Director et al., from the Arkansas Board of Review.

CR-19-695. Jeffrey Marek v. State of Arkansas, from Saline County Circuit Court. Appellant's motion for writ of certiorari to complete the record.

CR-19-850. Paula Rena Martin v. State of Arkansas, from Ashley County Circuit Court. Motion of Gary Potts for costs and attorney fees.

CR-20-56. Brian Lauer v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for attorney fees and costs.

CR-20-334. Duwayne Harvey v. State of Arkansas, from Garland County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees and costs.

CR-21-82. Jeremy Andrew Avery v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion for extension of time.

CR-21-182. Donald Wayne Black v. State of Arkansas, from Saline County Circuit Court. Appellant's motion for belated appeal.

CV-20-33. Ladonna Humphrey, Individually v. Absolute Pediatric Services, Inc., d/b/a Absolute Pediatric Therapy; and Anthony Christopher, from Benton County Circuit Court. Appellant's status report.

CV-20-674. Franklin Scott Pierce v. Veronica Seraphine Whitehill, from Perry County Circuit Court. Appellant's pro se motion for leave to file amended reply brief and supplemental addendum with reply brief.

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MOTIONS SUBMITTED

CV-20-701. Albert L. Meyer v. Alan Lee Meyer, from Faulkner County Circuit Court. Appellee's motion to dismiss appeal for lack of a final order.

CV-20-701. Albert L. Meyer v. Alan Lee Meyer, from Faulkner County Circuit Court. Appellee's unopposed motion for extension of time until two weeks following ruling on pending motion to dismiss for lack of a final order.

CV-21-49. J.E. Bonding, Inc. v. State of Arkansas, from Garland County Circuit Court. Appellant's motion to remand to settle the record and alternatively for certiorari.

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 for reconsideration of motion challenging jurisdiction and integrity of justices and judges of Arkansas Supreme Court and Court of Appeals.

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 requesting a hearing date pursuant to the granted formal court order.

CV-21-100. Charlton Braddock Kingrey v. Jeremy Wood and Lisa Wood, from Washington County Circuit Court. Appellant's pro se motion to supplement the record on appeal with better copies.

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MOTIONS SUBMITTED

CV-21-100. Charlton Braddock Kingrey v. Jeremy Wood and Lisa Wood, from Washington County Circuit Court. Appellant's pro se motion requesting access to sealed portions of the record.

CV-21-107. Anthony Lanos v. Geri Lanos, from Crittenden County Circuit Court. Appellant's pro se motion to reconsider all previous motions denied on April 7, 2021, by appeal court.

CV-21-107. Anthony Lanos v. Geri Lanos, from Crittenden County Circuit Court. Appellant's amended pro se motion to reconsider all previous motions denied on April 7, 2021, by appeal court.

CV-21-176. Steve Alexander v. Arvest Bank, from Howard County Circuit Court. Appellee's motion to dismiss appeal as untimely.

CV-21-179. James Roach v. John Roach and Joe Roach, from Marion County Circuit Court. Appellant's pro se motion in accordance with Rule 2-2 for the clerk to docket the case as an appeal.

CV-21-181. Philadelphia Indemnity Insurance Company v. Bella Vista Property Owners Association, from Benton County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CV-21-190. Steven Carrick v. Baptist Health, Claims Administrative Services; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Appellant's pro se petition for leave to proceed in forma pauperis.

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CASES SUBMITTED

CR-19-860. Stephon Tyrone Harris v. State of Arkansas, from Garland County Circuit Court.

CR-20-234. Seth Bradley Smith v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-20-501. Derek Clark v. State of Arkansas, from Garland County Circuit Court.

CR-20-538. Michael Smith v. State of Arkansas, from Searcy County Circuit Court.

CR-20-703. Roderick Shoulders v. State of Arkansas, from Hot Spring County Circuit Court.

CV-20-311. Janelle D. Sellers, as Trustee of the R&LD Trust II; and Luetta Dawson v. Dan H. Felton III, from Lee County Circuit Court.

CV-20-378. Barbara Ausbrooks Herring v. Shane L. Ramsey, from Saline County Circuit Court.

CV-20-413. (In the Matter of A.C., a Minor) Heather Galli v. Linda Jones and Vinton Jones, from Pulaski County Circuit Court, Fourteenth Division.

CV-20-427. Eddie Watkins III v. Raymond Adams, Personal Representative of the Estate of Ethel Mae Nalls Adams, Deceased, from Hot Spring County Circuit Court.

CV-20-512. Eddie S. Watkins III v. Raymond Adams, Personal Representative of the Estate of Ethel Mae Nalls Adams, Deceased, from Hot Spring County Circuit Court.

CV-20-516. Pete Eldridge v. Pace Industries, LLC; Sentry Casualty Company; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-20-589. (In the Matter of Patricia R. Pitts, an Incapacitated Person) Lisa Pitts v. Andrew Pitts, from Washington County Circuit Court.

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CASES SUBMITTED

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

E-20-190. Ernest Walker v. Director et al.

E-20-191. Ernest Walker v. Director et al.

E-20-340. Javondric Beavers v. Director et al.

E-20-341. Harry Melcher v. Director et al.

E-20-342. Ciertis Smith v. Director et al.

E-20-343. Mercedes McKinney v. Director et al.

E-20-344. Mercedes McKinney v. Director et al.

E-20-345. Rosetta Davis v. Director et al.

E-20-347. Kimberly Glover v. Director et al.

E-20-348. Betty Dillinger v. Director et al.

E-20-349. Robert Ashcraft v. Director et al.

E-20-350. Jeffery Bean v. Director et al.