

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MAY 26, 2021

BRANDON J. HARRISON, CHIEF JUDGE:

[CR-20-234](#). Seth Bradley Smith v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Virden and Klappenbach, JJ., agree.

[CR-20-561](#). Sherman Jamal Johnson v. State of Arkansas, from Nevada County Circuit Court. Affirmed. Abramson and Gruber, JJ., agree.

[CV-20-577](#). Juan Lopez v. James Divito Racing Stable and Meadowbrook Insurance Group, from the Arkansas Workers' Compensation Commission. Affirmed. Virden and Klappenbach, JJ., agree.

[E-20-354](#). Lisa Ann Cates v. Director, Department of Workforce Services; and University of Arkansas Community College at Morrilton, from the Arkansas Board of Review. Reversed and remanded for an award of benefits. Virden and Klappenbach, JJ., agree.

RAYMOND ABRAMSON, JUDGE:

[CR-20-349](#). Chadwick Staggs v. State of Arkansas, from Pope County Circuit Court. Affirmed. Hixson and Murphy, JJ., agree.

BART F. VIRDEN, JUDGE:

[CV-20-363](#). John A. Haverstick and Jerry Haverstick v. Frances Haverstick, from Woodruff County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

[CV-20-427](#). Eddie S. Watkins III v. Raymond Adams, Personal Representative of the Estate of Ethel Mae Nalls Adams, Deceased, from Hot Spring County Circuit Court. Affirmed. Harrison, C.J., and Klappenbach, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-20-440](#). Gary Lee Gould v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Vaught and Brown, JJ., agree.

MARK KLAPPENBACH, JUDGE:

[CV-20-521](#). Victoria Allen, Tina Pankey, and Donald Long v. Jesse Allen, from Randolph County Circuit Court. Affirmed. Harrison, C.J., and Virden, J., agree.

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RITA W. GRUBER, JUDGE:

[CR-20-605](#). Jarmer Roberson v. State of Arkansas, from Drew County Circuit Court. Affirmed. Barrett and Whiteaker, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CR-20-572](#). Alvin Eugene Yarberry v. State of Arkansas, from Saline County Circuit Court. Affirmed. Gruber and Whiteaker, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[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. Reversed and remanded. Klappenbach and Vaught, JJ., agree.

[CV-20-474](#). Summers Drilling & Blasting, Inc., a/k/a Summers Drilling, Inc. v. Goodwin & Goodwin, Inc., from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gruber and Barrett, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-19-167](#). Robert A. Hall Revocable Trust, Robert A. Hall, Jr., Trustee; Dolores A. Hall Revocable Trust, Robert A. Hall, Jr., Trustee; Robert A. Hall, Jr.; and Susanne Campbell Hall v. U.S. Specialty Insurance Company; CMM Mechanical, LLC; American Contractors Indemnity Company; Freddie Cary Parks; and Susan Parks, from Pulaski County Circuit Court, Second Division. Affirmed. Gladwin and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-20-391](#). Joshua Adam DeVault v. State of Arkansas, from Van Buren County Circuit Court. Affirmed. Abramson and Murphy, JJ., agree.

[E-20-361](#). Rhonda Burgos v. Director, Division of Workforce Services; and Mac Mechanical Company, from the Arkansas Board of Review. Reversed and remanded. Abramson and Murphy, JJ., agree.

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MIKE MURPHY, JUDGE:

[CV-20-347](#). Mary Cloird v. Josephine Young, Arkansas Department of Human Services, and Minor Child, from Jefferson County Circuit Court. Affirmed. Abramson and Hixson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-20-478](#). Misty Fox v. Eric Fox, from Pulaski County Circuit Court, Thirteenth Division. Remanded to settle and supplement the record; rebriefing ordered. Gladwin and Vaught, 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-20-346. Gwendolyn Worsham v. Director et al.

E-20-351. John Baxter v. Director et al.

E-20-352. LeCrisia Kinder Knecht v. Director et al.

E-20-355. Deborah Burrows v. Director et al.

E-20-356. Marvin Hopson v. Director et al.

E-20-357. Tarashae Lowe v. Director et al.

E-20-358. Trayavon Brown v. Director et al.

E-20-359. Duran Brown v. Director et al.

E-20-360. Gary Carr v. Director et al.

E-20-362. Johnathan Crone v. Director et al.

E-20-363. Brawn Snodgrass v. Director et al.

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E-20-364. Cheyenne Mandrell v. Director et al.

E-20-365. Susan Walser v. Director et al.

E-20-366. Stefanie Castleberry v. Director et al.

E-20-367. James Jones v. Director et al.

E-20-368. Geryle Brown v. Director et al.

E-20-369. TaLeesa Reed v. Director et al.

E-20-370. Marcus Snider v. Director et al.

E-20-371. Michael Baniel v. Director et al.

E-20-372. Melissa Andersen v. Director et al.

E-20-373. Willie Phillips v. Director et al.

E-20-374. Mary Lynn Lawler v. Director et al.

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PER CURIAM ORDERS

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

CV-18-975. Teresa Genz, Kathern Cooksey, Cassandra Julich, Logan Genz, Taylor Genz, Jerry Genz, and Lance Cooksey v. Amy Carter Cooksey, Individually and as Trustee of the James E. Cooksey Trust u/t/d March 11, 2010, from Washington County Circuit Court.

CV-20-443. Patrick Minahan v. Rachel Leigh Williams, from Pope County Circuit Court. Abramson, J., not participating.

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

E-20-322. Heather Nash v. Director et al., from the Arkansas Board of Review.

CR-20-408. Darris Williams v. State of Arkansas, from Union County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$1,800.00.

CR-20-539. Lee Allen Saffel v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough for attorney fees and costs is granted. Allowed \$2,000.00. Barrett, J., not participating.

CR-20-539. Lee Allen Saffel v. State of Arkansas, from Miller County Circuit Court. Motion of Phillip A. McGough to be relieved is granted. Barrett, J., not participating.

CR-20-582. Carlton Levon Brown v. State of Arkansas, from Ashley County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$1,800.00.

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

CR-20-672. Russell Holliday v. State of Arkansas, from Cleburne County Circuit Court. Appellee's motion to dismiss for lack of jurisdiction, or, alternatively, motion for extension of time. Motion to dismiss is granted.

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CR-21-77. Omar H. Ali v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's pro se motions to settle the record and for rule on clerk/certiorari are denied.

CR-21-199. Mark Barker v. State of Arkansas, from Crittenden County Circuit Court. Appellant's pro se motion for rule on clerk is granted. Writ of certiorari is issued to the circuit clerk. Complete and certified record pleadings are due within thirty days (June 25, 2021).

CV-21-158. Carlton Newsome v. City of El Dorado, Arkansas, from Union County Circuit Court. Appellee's motion to make the record conform to the truth is denied. The clerk is directed to place the appellate record in case number CV-19-656 with the appellate record in CV-21-158, for briefing purposes only.

CV-21-158. Carlton Newsome v. City of El Dorado, Arkansas, from Union County Circuit Court. Appellant's pro se motion to compel Mr. Kinslow to supplement the record is denied.

CV-21-174. Kerry Hollis v. Constance Hinton and Valerie Hinton, from Drew County Circuit Court. Appellant's pro se motion to supplement the record is denied.

[CV-21-176](#). Steve Alexander v. Arvest Bank, from Howard County Circuit Court. Appellee's motion to dismiss appeal as untimely. Motion granted; appeal dismissed. See **per curiam** this date.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-20-552. Shawn C. Sivils v. State of Arkansas, from Faulkner County Circuit Court.

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.

CV-20-281. Kevin Baltz v. Bradley Baltz, from Benton County Circuit Court.

CR-20-301. Anthony Lanos v. State of Arkansas, from Crittenden County Circuit Court. Appellant's pro se motion to reconsider motions denied by Arkansas Appeal Court April 14, 2021.

CR-20-414. Raul Torres-Garcia v. State of Arkansas, from Benton County Circuit Court. Motion of Michael Kaiser for fees.

CR-20-735. Jervontae Cox v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's pro se motion for transcript and records.

CV-19-415. Margaret Cogswell v. Margaret Lynn Cooper, as Executrix and Administrator of the Estate of Mary Cloar, Deceased, from Pope County Circuit Court. Appellee's suggestion of appellant's death on the record.

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 as to declaratory judgment.

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. Appellant's partial motion to dismiss cross-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. Motion of separate appellant Entergy Arkansas, LLC, to dismiss appeal.

CV-21-71. Jose A. Morales v. Athalia Garcia, from Faulkner County Circuit Court. Appellant's motion to expedite the court proceedings.

CV-21-205. Christopher Scott v. Arkansas Department of Human Services and Minor Child, from Saline County Circuit Court. Appellant's petition for leave to proceed in forma pauperis.

E-21-118. Jelisa Cooper v. Director et al., from the Arkansas Board of Review. Respondent's motion to remand.

E-21-212. Mickey Phillips v. Director et al., from the Arkansas Board of Review. Respondent's motion to remand.

E-21-261. Virgil Wilkins v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

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CASES SUBMITTED

CR-20-207. Joseph Evan Bennion v. State of Arkansas, from Benton County Circuit Court.

CR-20-332. Eric Coon v. State of Arkansas, from Drew County Circuit Court.

CR-20-352. Jeffery Ford v. State of Arkansas, from Garland County Circuit Court.

CR-20-384. Joshua Michael Miller v. State of Arkansas, from Baxter County Circuit Court.

CR-20-398. Cody Lane Cagle v. State of Arkansas, from Faulkner County Circuit Court.

CR-20-436. Jeremy A. Tutt v. State of Arkansas, from Saline County Circuit Court.

CR-20-452. Preston Johnson v. State of Arkansas, from Saline County Circuit Court.

CR-20-457. Charles Grunenburg v. State of Arkansas, from Miller County Circuit Court.

CR-20-465. Antwon Wheaton v. State of Arkansas, from Miller County Circuit Court.

CR-20-503. Terry Cortez Stewart v. State of Arkansas, from Crittenden County Circuit Court.

CR-20-543. Calvin Kentra Marshall v. State of Arkansas, from Crittenden County Circuit Court.

CR-20-691. Brandon Fannin v. State of Arkansas, from Pope County Circuit Court.

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

E-21-11. Lauren Langston v. Director et al.

E-21-25. Cornelius McFadden v. Director et al.

E-21-27. Nicholas Hebrard v. Director et al.

E-21-28. Ricky Clopton v. Director et al.

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CASES SUBMITTED

- E-21-29. Lucinda Blair v. Director et al.
- E-21-30. Ronnie Robinson v. Director et al.
- E-21-31. Sheena Piggee v. Director et al.
- E-21-32. Gaylon Glasgow v. Director et al.
- E-21-33. Jerry Brooks v. Director et al.
- E-21-34. Robert Harrison v. Director et al.
- E-21-35. Belinda Bradford v. Director et al.
- E-21-39. Deron Canada v. Director et al.
- E-21-40. Dale Shaw v. Director et al.
- E-21-41. Yulonda Oliver v. Director et al.
- E-21-42. Laura Hammett v. Director et al.
- E-21-44. Nam Ly v. Director et al.
- E-21-45. Sherri King v. Director et al.
- E-21-46. Karen Johnson v. Director et al.
- E-21-47. Brandi House v. Director et al.
- E-21-48. Kirby Foster v. Director et al.
- E-21-49. Brenda Geurin v. Director et al.
- E-21-50. Gary Strimple v. Director et al.
- E-21-51. Kristin Caldwell v. Director et al.

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CASES SUBMITTED

E-21-52. Timothy Stribling v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>