

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JULY 14, 2021**

**PER CURIAM ORDERS**

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

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

CR-20-349. Chadwick Staggs v. State of Arkansas, from Pope County Circuit Court. Viriden and Klappenbach, JJ., not participating.

CR-20-644. Craytonia Badger v. State of Arkansas, from Columbia County Circuit Court.

CR-20-658. Kwasi McKinney v. State of Arkansas, from Columbia County Circuit Court. Viriden, J., not participating.

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. Harrison, C.J., and Murphy, J., not participating.

CV-19-913. Dragan Vicentic, Individually and as a Member, Director, and Officer of Green Springs Medical, LLC v. Bruce Simpson, from Garland County Circuit Court. Harrison, C.J., and Barrett, J., not participating.

CV-20-221. Juan D. Cruz v. State of Arkansas, from Monroe County Circuit Court.

CV-20-363. John A. Haverstick and Jerry Haverstick v. Frances Haverstick, from Woodruff County Circuit Court. Harrison, C.J., and Abramson, J., not participating.

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.

CV-20-516. Pete Eldridge v. Pace Industries, LLC; Death and Permanent Total Disability Trust Fund; and Sentry Casualty Company, from the Arkansas Workers' Compensation Commission. Harrison, C.J., not participating.

E-21-5. Holly Ballegeer v. Director et al., from the Arkansas Board of Review.

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**REHEARINGS DENIED:** (Continued)

E-21-8. Katra Milton v. Director et al., from the Arkansas Board of Review.

E-21-21. Rhonda Gracey v. Director et al., from the Arkansas Board of Review. Abramson and Gruber, JJ., not participating.

E-21-24. Nichole E. Tucker v. Director, Division of Workforce Services; and Bentonville Christian Academy, from the Arkansas Board of Review.

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CR-19-811. Cortez Barefield v. State of Arkansas, from Phillips County Circuit Court. Motion of Laura Avery for attorney's fee is granted. Allowed \$2000.00.

CR-19-860. Stephon Tyrone Harris v. State of Arkansas, from Garland County Circuit Court. Appellant's motion for extension of time to file brief is granted. Virden, J., not participating.

CR-19-923. William Sterling Cook v. State of Arkansas, from Poinsett County Circuit Court. Motion of Tim Cullen for attorney fees and costs is granted. Allowed \$2000.00.

CR-20-57. Robert Dean Ball v. State of Arkansas, from Crawford County Circuit Court. Motion of Natalie S. King for costs and attorney fees is granted. Allowed \$1800.00.

CR-20-99. Malvin Bynum v. State of Arkansas, from Faulkner County Circuit Court. Motion of Matthew P. McKay for attorney's fees is granted. Allowed \$2000.00.

CR-20-103. Melissa Joyner v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney fees is granted. Allowed \$2000.00.

CR-20-116. Robert Scott Wilcox v. State of Arkansas, from Ashley County Circuit Court. Motion of Gary Potts for costs and attorney fees is granted. Allowed \$2000.00.

CR-20-131. Ronald Huggins v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney fees is granted. Allowed \$2000.00.

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CR-20-384. Joshua Michael Miller v. State of Arkansas, from Baxter County Circuit Court. Appellant's pro se motion to compel surrender of trial court record is denied. Virden, J., not participating.

CR-20-397. Dale C. Bartlett v. State of Arkansas, from Monroe County Circuit Court. Motion for entry of appearance by Deborah Truby Riordan as counsel on behalf of the appellant is granted.

CR-20-406. Gregory McCree v. State of Arkansas, from Drew County Circuit Court. Motion of John Ogles for attorney's fees is granted. Allowed \$2000.00.

CR-20-450. Christian Heverly v. State of Arkansas, from Garland County Circuit Court. Motion of Lisa-Marie Norris for attorney's fee is granted. Allowed \$1800.00.

CR-20-455. Mark Morgan v. State of Arkansas, from Benton County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses is granted. Allowed \$2000.00.

CR-20-501. Derek Layne Clark v. State of Arkansas, from Garland County Circuit Court. Motion of Sharon Kiel for award of attorney's fees is granted. Allowed \$2000.00.

CR-20-552. Shawn C. Sivils v. State of Arkansas, from Faulkner County Circuit Court. Motion of Brett D. Watson for attorney fees is granted. Allowed \$2000.00. Harrison, C.J., and Abramson, J., not participating.

CR-20-571. Marques Johnson v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$2000.00.

CR-20-572. Alvin Eugene Yarberry v. State of Arkansas, from Saline County Circuit Court. Motion of F. Parker Jones III for attorney's fees is granted. Allowed \$2000.00.

CR-20-608. Robert Krachey v. State of Arkansas, from Franklin County Circuit Court, Northern District. Appellant's motion to remand to settle the record is granted.

CR-20-614. Anthony Phillips v. State of Arkansas, from Nevada County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$2000.00.

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CR-20-722. Tyrique K. Skinner v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$2000.00.

CR-20-726. Michelle Welch v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$2000.00.

CR-20-730. Fred William English v. State of Arkansas, from Craighead County Circuit Court, Eastern District. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$2000.00.

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

CR-21-128. Jimmy Marion Baugh v. State of Arkansas, from Lincoln County Circuit Court. Appellant's motion to file belated reply brief is granted.

CR-21-169. Gabriel J. Lemmonds v. State of Arkansas, from Independence County Circuit Court. Appellant's pro se motions to amend, correcting failure to show; to reopen time to appeal due to judge not informing appellant of option to appeal or time limit; and to vacate the sentence are denied.

CR-21-192. Brandon Ulysses Westbrook v. State of Arkansas, from Pulaski County Circuit Court, First Division. Motion of Craig Lambert for entry of appearance is granted.

CR-21-192. Brandon Ulysses Westbrook v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to stay briefing schedule is granted.

CR-21-215. Jordan Williams v. State of Arkansas, from Hempstead County Circuit Court. Appellant's pro se motion for belated appeal and request to proceed in forma pauperis are denied.

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CR-21-227. Sharon Moye v. State of Arkansas, from Franklin County Circuit Court, Northern District. Motion of Eric Soller to withdraw as attorney of record is granted; and referred to the Arkansas Supreme Court Committee on Professional Conduct. Attorney Dusti Standridge is appointed as counsel for the appellant. The clerk is directed to lodge the record and set a briefing schedule.

CR-21-260. Raheem Stackhouse v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on clerk is granted.

CR-21-260. Raheem Stackhouse v. State of Arkansas, from Crittenden County Circuit Court. Motion of Roy C. Lewellen to be relieved as attorney for appellant and stay briefing schedule is granted. Attorney Gregg Knutson is appointed as counsel for the appellant.

CR-21-266. Granville Murphy v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's pro se motion for belated appeal is remanded to the circuit court to supplement the record with the envelope containing the pro se notice of appeal.

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 requesting that appellee Katie E. Knight be officially served notice is denied.

CV-20-692. El Dorado Ammonia, LLC; and El Dorado Chemical Company v. Global Industrial, Inc., d/b/a Global Turnaround and Leidos Constructors, LLC, from Union County Circuit Court. Appellants' motion to address briefing schedule is denied.

CV-20-695. Elizabeth Garner v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Appellant's petition for writ of certiorari to complete the record and to set briefing schedule is granted. Writ issued; certified complete electronic record of the termination-of-parental-rights appeal is due in forty days (August 23, 2021). The clerk is directed to set a briefing schedule after the complete electronic record is lodged.

CV-21-24. (In the Matter of K.L.M., a Minor) Wanetta Lynn Akers-Trask and Roger Trask v. Ashley Malone-Durham, Ariel Malone-Durham, Jessie Dooley, and Kyle McBride, from Randolph County Circuit Court. Appellants' motion to supplement record and for extension of time is granted.

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CV-21-49. J.E. Bonding, Inc. v. State of Arkansas, from Garland County Circuit Court. Appellant's motion to file substituted brief is granted.

CV-21-49. J.E. Bonding, Inc. v. State of Arkansas, from Garland County Circuit Court. Appellee's motion for extension of brief time is granted.

CV-21-64. Samuel G. Baggett, Jr. v. Angela Baggett (now Benight), from Lonoke County Circuit Court. Appellant's motion to expand word count is granted. Whiteaker, J., would deny. Harrison, C.J., and Abramson, J., not participating.

CV-21-99. Fred Allen Self v. Jennifer Dittmer, from Washington County Circuit Court. Appellee's motion to amend appellee's brief is granted.

CV-21-110. Samantha Jones v. Arkansas Department of Human Services and Minor Child, from Pope County Circuit Court. Appellant's motion for extension of brief time treated as a motion for belated brief and granted. Appellant's brief is due in seven days (July 21, 2021).

CV-21-129. Northport Health Services of Arkansas, LLC, d/b/a Paris Health and Rehabilitation Center v. Thomas Chancey, Guardian of the Estate and Person of Lucy Chancey, an Incapacitated Person, from Logan County Circuit Court, Northern District. Appellee's motion alleging delay is denied.

CV-21-171. Raymond Joe Evans v. Janet Jones Carpenter, from Logan County Circuit Court, Southern District. Appellee's combined motion to remand to correct the record or alternative petition for certiorari to complete the record, motion to stay the briefing schedule, and alternative motion for extension of time in which to file appellee's brief is granted.

CV-21-174. Kerry Hollis v. Constance Hinton and Valerie Hinton, from Drew County Circuit Court. Appellant's pro se amended motion to supplement the record is denied. Murphy, J., not participating.

CV-21-174. Kerry Hollis v. Constance Hinton and Valerie Hinton, from Drew County Circuit Court. Appellant's pro se motion for stay pending appeal is denied. Appellees' motion to dismiss appeal is passed until the case is submitted. Murphy, J., not participating.

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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 is granted.

CV-21-179. James Roach v. John Roach and Joe Roach, from Marion County Circuit Court. Appellant's pro se motion to remove "judicial immunity" from Dawn Moffet and motion to include the March 2, 2020, two-page policy-decision-making letter signed by Dawn Moffet is denied.

CV-21-179. James Roach v. John Roach and Joe Roach, from Marion County Circuit Court. Appellant's pro se motion to remove the name Joe Roach as an appellee is denied.

CV-21-179. James Roach v. John Roach and Joe Roach, from Marion County Circuit Court. Appellant's pro se motion to include Dawn Moffet as an individual for the unconstitutional actions taken by Dawn Moffet is denied.

CV-21-179. James Roach v. John Roach and Joe Roach, from Marion County Circuit Court. Appellant's pro se motion for extension of time for reply of formal order of explanation from circuit court of appellant's notice of appeal was incorrectly file marked February 22, 2021, instead of February 5, 2021, is denied.

CV-21-181. Philadelphia Indemnity Insurance Company v. Bella Vista Property Owners Association, from Benton County Circuit Court. Appellant's motion to enforce writ of certiorari and extend time is granted.

CV-21-186. Sarah Beverly v. Aundra Murphy, from Pulaski County Circuit Court, Thirteenth Division. Appellee's motion to dismiss appeal is denied. Murphy, J., not participating.

CV-21-186. Sarah Beverly v. Aundra Murphy, from Pulaski County Circuit Court, Thirteenth Division. Appellant's motion to supplement the record is granted. Murphy, J., not participating.

E-20-346. Gwendolyn Worsham v. Director et al., from the Arkansas Board of Review. Petitioner's petition to proceed in forma pauperis is denied.

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E-21-260. Hannah Kincaid v. Director et al., from the Arkansas Board of Review. Respondent's motion to dismiss appeal is granted.