

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

BRANDON J. HARRISON, CHIEF JUDGE:

[CR-20-635](#). A.M. v. State of Arkansas, from Miller County Circuit Court. Affirmed. Virden and Gruber, JJ., agree.

[E-21-81](#). Amanda Sharum v. Director, Arkansas Department of Commerce, Division of Workforce Services, from the Arkansas Board of Review. Remanded to supplement the record. Virden and Gruber, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-21-278](#). Kinyata Nichols v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gladwin and Klappenbach, JJ., agree.

BART F. VIRDEN, JUDGE:

[E-21-90](#). Sheryl Scott v. Director, Division of Workforce Services, from the Arkansas Board of Review. Remanded to settle and supplement the record. Harrison, C.J., and Gruber, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-21-7](#). Andra Crockett v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Abramson and Klappenbach, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[E-21-88](#). Allandraus Carson v. Director, Arkansas Division of Workforce Services, from the Arkansas Board of Review. Remanded to settle and supplement the record. Abramson and Gladwin, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-21-216](#). Jamie Ann Ashby v. State of Arkansas, from Lonoke County Circuit Court. Affirmed. Harrison, C.J., agrees. Virden, J., concurs.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

STEPHANIE POTTER BARRETT, JUDGE:

[CR-20-735](#). Jervontae Cox v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Vaught and Murphy, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-20-700](#). Arkansas Office of Child Support Enforcement v. Walter Robinson, from Pulaski County Circuit Court, Ninth Division. Dismissed. Barrett and Murphy, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-19-373](#). Garry B. Sutherland, Individually; and Garry B. Sutherland and Brenda Sutherland, Husband and Wife, as Co-Trustees of the Sutherland Revocable Trust Dated July 25, 2007 v. Larry Edge; Julius Edge; and Kurt Phillips and Virginia Phillips, Husband and Wife, from Cleburne County Circuit Court. Reversed and remanded. Whiteaker and Brown, JJ., agree.

MIKE MURPHY, JUDGE:

[CV-21-194](#). Shawna Jennings v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Barrett and Vaught, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-20-676](#). Kevin Jolliff v. Jessica Wilson, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Whiteaker and Hixson, 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-21-87. Ordrean Taylor v. Director et al.

E-21-89. Jean Smith v. Director et al.

E-21-92. Jessica Shelton v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

E-21-93. Jessica Shelton v. Director et al.

E-21-94. Alicia Walling v. Director et al.

E-21-95. Sean Parm v. Director et al.

E-21-96. Sharon Bonds v. Director et al.

E-21-97. April White v. Director et al.

E-21-98. Ashton Shelley v. Director et al.

E-21-99. Michael Spears v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

PER CURIAM ORDERS

CR-19-249. James M. Bohanan v. State of Arkansas, from Conway County Circuit Court. Motion of Robert N. Jeffrey for attorney's fees is moot. Viriden, J., not participating.

CR-19-249. James M. Bohanan v. State of Arkansas, from Conway County Circuit Court. Amended motion of Robert N. Jeffrey for attorney's fees is granted. Allowed \$2000.00. Viriden, J., not participating.

CR-20-119. Vincent N. Ludwick v. State of Arkansas, from Madison County Circuit Court. Motion of W. Whitfield Hyman for costs and attorney fees is granted. Allowed \$2000.00.

CR-21-90. Cameron Braswell v. State of Arkansas, from Drew County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$2000.00.

CR-21-93. McKinzie Kory Martin v. State of Arkansas, from Drew County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$2000.00.

CR-21-182. Donald Wayne Black v. State of Arkansas, from Saline County Circuit Court. Appellee's motion to dismiss or, in the alternative, for extension of brief time. Appellee's motion to dismiss is denied. Appellee's brief is due in thirty days (December 3, 2021).

CR-21-196. Billy Hoover v. State of Arkansas, from Crawford County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

CR-21-297. Micah Angel v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's pro se motion for permission to supplement record with documents is denied. Appellant's corrected brief is due in fifteen days (November 18, 2021).

CR-21-383. Noah Douglas Wright v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's pro se request for use of copy of the certified Rule 37 hearing transcript for preparation of appeal brief and arguments and for a forty-day extension of time to file the appeal brief is granted.

CR-21-497. Jeffrey Lee Haynes v. State of Arkansas, from Franklin County Circuit Court, Northern District. Motion of Matthew Dearmore to be relieved as attorney for appellant and stay briefing schedule is granted. Viriden, J., not participating.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

PER CURIAM ORDERS

CV-19-764. Ronald E. Dana and Linda D. Dana v. Diamante Members Club, Inc., from Saline County Circuit Court. Motion of James Armogida to withdraw as counsel is granted.

CV-19-765. Al Faigin and N.G. Faigin v. Diamante Members Club, Inc.; and Diamante, a Private Membership Golf Club, LLC, from Saline County Circuit Court. Motion of James Armogida to withdraw as counsel is granted.

CV-19-765. Al Faigin and N.G. Faigin v. Diamante Members Club, Inc.; and Diamante, a Private Membership Golf Club, LLC, from Saline County Circuit Court. Amended motion of James Armogida to withdraw as counsel is granted.

CV-19-766. John Brunner and Carolyn Brunner v. Diamante Members Club, Inc., from Saline County Circuit Court. Motion of James Armogida to withdraw as counsel is granted.

CV-19-767. Phillip Woodward and Katherine Woodward v. Diamante Members Club, Inc., from Saline County Circuit Court. Motion of James Armogida to withdraw as counsel is granted.

CV-19-767. Phillip Woodward and Katherine Woodward v. Diamante Members Club, Inc., from Saline County Circuit Court. Amended motion of James Armogida to withdraw as counsel is granted.

CV-19-769. Mark Dana and Diana Dana v. Diamante Members Club, Inc., from Saline County Circuit Court. Motion of James Armogida to withdraw as counsel is granted.

CV-19-770. George Hunter and Joan Hunter v. Diamante Members Club, Inc.; and Diamante, a Private Membership Golf Club, LLC, from Saline County Circuit Court. Motion of James Armogida to withdraw as counsel is granted.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

PER CURIAM ORDERS

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 and to set aside the appeal dismissal order is denied.

CV-21-198. Teresa James v. Mary Cynthia Mounts; James Phillip Rocconi; and Richard Anthony Rocconi, Individually and as Executor of the Estate of James R. Rocconi, Deceased, from Ouachita County Circuit Court. Appellees' motion to correct the record is denied.

CV-21-298. First Arkansas Bail Bonds v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to consolidate appeals, clarify the record and for extension of time. Appellant's motion to consolidate appeals and clarify the record is denied. Appellant's brief is due in thirty days (December 3, 2021).

CV-21-300. Bobby Cox Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to consolidate appeals, clarify the record and for extension of time. Appellant's motion to consolidate appeals and clarify the record is denied. Appellant's brief is due in thirty days (December 3, 2021).

CV-21-301. First Arkansas Bail Bonds v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to consolidate appeals, clarify the record and for extension of time. Appellant's motion to consolidate appeals and clarify the record is denied. Appellant's brief is due in thirty days (December 3, 2021).

CV-21-302. First Arkansas Bail Bonds v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to consolidate appeals, clarify the record and for extension of time. Appellant's motion to consolidate appeals and clarify the record is denied. Appellant's brief is due in thirty days (December 3, 2021).

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

PER CURIAM ORDERS

CV-21-389. Nelda Coleman and Charles Coleman (Deceased) v. Harmon Gareth Tobler, M.D.; Richard Betzold, M.D.; and BXS Insurance, Inc., from Pulaski County Circuit Court, Sixteenth Division. Appellant Nelda Coleman's pro se second motion to supplement the record is denied. Gladwin, J., not participating.

CV-21-389. Nelda Coleman and Charles Coleman (Deceased) v. Harmon Gareth Tobler, M.D.; Richard Betzold, M.D.; and BXS Insurance, Inc., from Pulaski County Circuit Court, Sixteenth Division. Appellant Nelda Coleman's pro se third motion to supplement the record is denied. Gladwin, J., not participating.

CV-21-389. Nelda Coleman and Charles Coleman (Deceased) v. Harmon Gareth Tobler, M.D.; Richard Betzold, M.D.; and BXS Insurance, Inc., from Pulaski County Circuit Court, Sixteenth Division. Appellant Nelda Coleman's pro se motion for more time on the brief until the court rules on the motions to supplement the record is denied. Gladwin, J., not participating.

E-21-352. Roy Hall v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion for support is denied.

E-21-361. Abdoulie Krubally v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion to add evidence is denied.

E-21-636. Courtney Jackson v. Director et al., from the Arkansas Board of Review. Petitioner's motion to file belated appeal is denied.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-20-699. Terry Wynne v. Liberty Trailer and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CR-20-308. Benjamin Mickey Pitts v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion to compel attorney to produce.

CR-20-608. Robert Krachey v. State of Arkansas, from Franklin County Circuit Court, Northern District. Motion of Samuel F. Eastman for award of attorney's fees.

CR-21-487. D'Anthony Williams v. State of Arkansas, from Pulaski County Circuit Court, First Division. Motion of Robert R. Cortinez to be relieved as counsel of record.

CR-21-487. D'Anthony Williams v. State of Arkansas, from Pulaski County Circuit Court, First Division. Motion of James Law Firm for substitution of counsel.

CR-21-488. Macon Carter, Jr. v. State of Arkansas, from Phillips County Circuit Court. Appellant's motion to set appeal bond.

CR-21-488. Macon Carter, Jr. v. State of Arkansas, from Phillips County Circuit Court. Appellant's amended motion to set appeal bond.

CV-20-610. Petit Jean Electric Cooperative Corporation; 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 Micah L. Goodwin to withdraw as counsel for appellant.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

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 motion for reconsideration and set aside the disqualification order.

CV-21-443. Lexa Page, Jr. v. Annette Page and the Estate of Lexa Page, Sr., Deceased, from Ouachita County Circuit Court. Appellant's motion to remand to settle the record, petition for certiorari to complete the record, and to stay briefing schedule.

CV-21-443. Lexa Page, Jr. v. Annette Page and the Estate of Lexa Page, Sr., Deceased, from Ouachita County Circuit Court. Appellant's motion for extension of time.

CV-21-475. John Williamson and Absolute Oilfield Services, Inc. v. Van Alan Hill and Nancy Hill, from Johnson County Circuit Court. Appellants' motion for extension of time to file brief.

CV-21-475. John Williamson and Absolute Oilfield Services, Inc. v. Van Alan Hill and Nancy Hill, from Johnson County Circuit Court. Motion of Robert S. Tschiemer for withdrawal of counsel.

CV-21-499. Lyndsay Bell v. Zachary M. Bell, from Pulaski County Circuit Court, Fifteenth Division. Appellant's motion for stay pending appeal.

E-21-322. Isaac Russell v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion to add evidence.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

CASES SUBMITTED

CV-19-528. A&B Pawn Shop, Inc., d/b/a Webb's Sporting Goods v. Mack's Sport Shop, LLLP, d/b/a Mack's Prairie Wings, from Arkansas County Circuit Court, Southern District. Orally argued.

CR-19-695. Jeffrey Marek v. State of Arkansas, from Saline County Circuit Court.

CR-19-732. Gregory J. Martin v. State of Arkansas, from Miller County Circuit Court.

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

CR-20-745. William Jesse Boswell v. State of Arkansas, from Miller County Circuit Court.

CR-20-746. William Jesse Boswell v. State of Arkansas, from Miller County Circuit Court.

CR-21-21. Marlon Tremaine Myers v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-21-109. Ronnie Nixon v. State of Arkansas, from Poinsett County Circuit Court.

CV-20-688. John Patrick Cullen v. Allstate Insurance Company, Kathy Jo Brinkley, and Katie Knight, from Garland County Circuit Court.

CV-20-736. Tully A. Borland v. Amy J. Borland, from Clark County Circuit Court.

CV-21-114. Ace Fence Company, Inc.; and Arkansas P&C Guaranty Fund v. Jeffrey Andrews, from the Arkansas Workers' Compensation Commission.

CV-21-141. Jermeij Parnell v. State of Arkansas, Office of Child Support Enforcement; and Ebonique Butler, from Mississippi County Circuit Court, Chickasawba District.

CV-21-170. Richard Cosner v. C & J Forms and Labels Company; and SafeCo Property & Casualty Insurance, from the Arkansas Workers' Compensation Commission.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 3, 2021

CASES SUBMITTED

CV-21-188. Sheridan School District, Arkansas School Boards Association, and Death and Permanent Total Disability Trust Fund v. Jennifer Wise, from the Arkansas Workers' Compensation Commission.

CV-21-206. Staci Aslakson and Timothy Aslakson v. Arkansas Department of Human Services and Minor Children, from Conway County Circuit Court.

CV-21-257. Samantha Cummings v. Arkansas Department of Human Services and Minor Child, from Clark County Circuit Court.

CV-21-267. Larissa Hickman v. Arkansas Department of Human Services and Minor Children, from Madison County Circuit Court.

CV-21-299. Heather Jones v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

CV-21-317. Arkansas Department of Human Services v. Arabia Jackson; Travrice Jackson, Sr.; and Minor Children, from Pulaski County Circuit Court, Tenth Division.

CV-21-329. Ashley Rocha and Christopher Rocha v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court.

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

E-20-312. Audrey Jo Rodermund v. Director et al.

E-21-43. Ambera Parker v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>