

## ARKANSAS COURT OF APPEALS

### PROCEEDINGS OF NOVEMBER 10, 2021

#### **BRANDON J. HARRISON, CHIEF JUDGE:**

[CR-20-452](#). Preston Johnson v. State of Arkansas, from Saline County Circuit Court. Affirmed. Virden and Gruber, JJ., agree.

#### **RAYMOND R. ABRAMSON, JUDGE:**

[E-20-289](#). Phillip Harrison v. Director, Division of Workforce Services; and Creative Co-Op, Inc., from the Arkansas Board of Review. Affirmed. Gladwin and Klappenbach, JJ., agree.

#### **BART F. VIRDEN, JUDGE:**

[CV-20-218](#). Don Randall Jackson (Deceased) v. Smiley Sawmill, LLC; and Technology Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Harrison, C.J., and Gruber, J., agree.

[E-21-108](#). Jennifer Hernandez 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.

#### **N. MARK KLAPPENBACH, JUDGE:**

[CV-20-557](#). Teresa Ann White v. Paige Harper and Andrew Alton James, from Pulaski County Circuit Court, Seventeenth Division. Affirmed. Abramson and Gladwin, JJ., agree.

[CV-20-660](#). Bob Robbins v. Judy Lemay, from Clark County Circuit Court. Reversed and remanded. Abramson and Gladwin, JJ., agree.

#### **RITA W. GRUBER, JUDGE:**

[CV-20-251](#). Larry Hamilton v. Bank of the Ozarks; Ellen B. Brantley; and Susan Cossey, from Pulaski County Circuit Court, Fifteenth Division. Remanded to supplement the record; rebriefing ordered. Harrison, C.J., and Virden, J., agree.

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**PHILLIP T. WHITEAKER, JUDGE:**

[CV-21-71](#). Jose A. Morales v. Athalia Garcia, from Faulkner County Circuit Court. Affirmed in part; reversed and dismissed in part. Hixson and Brown, JJ., agree.

**LARRY D. VAUGHT, JUDGE:**

[CV-20-585](#). Demetrios Kollias d/b/a Paper Moon v. Arkansas Alcoholic Beverage Control Board, from Pulaski County Circuit Court, Sixth Division. Affirmed. Barrett and Murphy, JJ., agree.

**KENNETH S. HIXSON, JUDGE:**

[CV-20-677](#). (In the Matter of the Adoption of AP) Dillon Arnold v. Nicklaus Przytarski and Courtney Przytarski, from Garland County Circuit Court. Affirmed. Whiteaker and Brown, JJ., agree.

**MIKE MURPHY, JUDGE:**

[CR-21-91](#). Anthony Warren v. State of Arkansas, from Nevada County Circuit Court. Affirmed. Barrett and Vaught, JJ., agree.

**WAYMOND M. BROWN, JUDGE:**

[CV-20-595](#). Aaron C. Sluyter and Cheryl Sluyter v. Wood Guys, LLC, from Benton County Circuit Court. Reversed and remanded. 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-21-100. Marquitta Keaton v. Director et al.

E-21-101. Trina Mitchell v. Director et al.

E-21-102. Trina Mitchell v. Director et al.

E-21-103. Derrick Hawkins v. Director et al.

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- E-21-105. Orlicia Brown v. Director et al.
- E-21-107. Linda Shirey v. Director et al.
- E-21-109. Latrell Lanigan v. Director et al.
- E-21-110. Joy Groning v. Director et al.
- E-21-111. Janet Young v. Director et al.
- E-21-112. India Walker v. Director et al.
- E-21-113. Candice Henry v. Director et al.
- E-21-114. Candice Henry v. Director et al.
- E-21-115. Jason Allen v. Director et al.
- E-21-116. James Wood v. Director et al.
- E-21-117. Shannon Thornton v. Director et al.
- E-21-118. Jelisa Cooper v. Director et al.
- E-21-119. Jeremy Marler v. Director et al.
- E-21-120. Kaitlyn Bolton v. Director et al.
- E-21-121. Denise Rohr v. Director et al.
- E-21-122. Tylar Lee v. Director et al.
- E-21-123. Calvin Withers v. Director et al.
- E-21-124. Idmon Tawoj v. Director et al.
- E-21-125. Gedion Rotich v. Director et al.

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**PER CURIAM ORDERS**

REHEARING DENIED: Petition for rehearing was denied today in the following case.

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

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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 is denied.

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 is granted. Allowed \$2000.00.

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 is granted.

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 is granted.

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

CV-19-858. David Kinder v. Wendy Kinder, from Pulaski County Circuit Court, Third Division. Appellant's motion to supplement the record is granted. Whiteaker, J., would deny. Murphy, J., not participating.

CV-19-858. David Kinder v. Wendy Kinder, from Pulaski County Circuit Court, Third Division. Appellant's motion to recall remand is denied. Murphy, J., not participating.

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 is granted. Abramson, Virden, Gruber, Vaught, and Hixson, JJ., not participating.

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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 is denied. The Clerk is directed to not accept any additional filings in this case in the Arkansas Court of Appeals.

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. Appellant's motion to remand to settle the record is granted.

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 is granted.

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 is granted.

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 is granted.

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

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

E-21-572. Craig Robinson v. Director, Arkansas Department of Workforce Services, from the Arkansas Board of Review. Motion for rule is granted. See [per curiam](#) this date.

E-21-573. Craig Robinson v. Arkansas Department of Workforce Services, from the Arkansas Board of Review. Motion for rule is granted. See [per curiam](#) this date.

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E-21-574. Ronnie Tucker v. Director, Arkansas Department of Workforce Services, from the Arkansas Board of Review. Motion for rule is granted. See [per curiam](#) this date.

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**MOTIONS SUBMITTED**

CR-20-543. Calvin Kentra Marshall v. State of Arkansas, from Crittenden County Circuit Court. Motion of S. Butler Bernard, Jr., for attorney fees.

CR-21-403. Cody Vessel v. State of Arkansas, from Garland County Circuit Court. Appellant's motion to correct record.

CR-21-486. Gary Chambers v. State of Arkansas, from Clark County Circuit Court. Appellant's pro se motion for extension of time to file appellant's brief and for production of the transcript.

CR-21-501. Harold Atherton v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's pro se motion for appointment of counsel.

CV-21-229. James S. Branscum and Colette R. Branscum v. John Nelson and Whitney Butts, from Perry County Circuit Court. Motion to modify appellees'/cross-appellants' brief.

CV-21-466. Paul Gordon v. Bobbye Gordon, from Hot Spring County Circuit Court. Appellant's pro se motion for belated appeal.

CV-21-511. Tina Schultz v. Arkansas Department of Human Services and Minor Children, from Carroll County Circuit Court, Eastern District. Appellant's motion for rule on clerk.

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**CASES SUBMITTED**

CR-20-740. Sharvelt Mister v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-21-103. Juvelye Lopez v. State of Arkansas, from Garland County Circuit Court.

CR-21-132. Daniel Keys v. State of Arkansas, from Hot Spring County Circuit Court.

CR-21-193. Andrew Burton v. State of Arkansas, from Faulkner County Circuit Court.

CV-20-601. Brandon Clay Stell v. Kerri Lynn Stell, from Faulkner County Circuit Court.

CV-20-661. J. David John v. Megan Marie Bolinder, from Benton County Circuit Court.

CV-20-707. Yafai Investment, Inc.; and Mahdi Hs Saleh v. Arkmo Foods, LLC, from Arkansas County Circuit Court, Northern District.

CV-20-710. Aimee Walton v. Ruben Walton, from White County Circuit Court.

CV-21-8. Thompson Maner v. Kathryn Maner, from Washington County Circuit Court.

CV-21-25. Endurance Freight Logistics, LLC; and Glad Rents, Inc. v. Jetonga Reddick, from Pulaski County Circuit Court, Twelfth Division.

CV-21-167. North Hills Surgery Center; Risk Management Resources; and Death and Permanent Total Disability Trust Fund v. Chelsea Otis, from the Arkansas Workers' Compensation Commission.

CV-21-286. Benjamin Noble and Sarah Carr v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District.

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

E-21-126. James Elmore v. Director et al.

E-21-127. Angela Davis v. Director et al.

E-21-128. Kenny Wilson v. Director et al.



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**CASES SUBMITTED**

- E-21-129. Margaret Hudson v. Director et al.
- E-21-130. James Landers v. Director et al.
- E-21-131. Gabrielle Crowley v. Director et al.
- E-21-132. Gabrielle Crowley v. Director et al.
- E-21-133. Robert Shaw v. Director et al.
- E-21-134. Lee Davis v. Director et al.
- E-21-135. Bobby Effinger v. Director et al.
- E-21-136. Beverly Harris v. Director et al.
- E-21-137. Brandy Goss v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>