

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 26, 2022

BRANDON J. HARRISON, CHIEF JUDGE:

[CV-21-400](#). Steven Folsom v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Tenth Division. Affirmed. Klappenbach and Hixson, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[E-21-195](#). Dana Brehm v. Director, Department of Workforce Services, from the Arkansas Board of Review. Remanded. Barrett and Brown, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CV-21-92](#). Alejandro Yopez v. Beverly C. Yopez, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Harrison, C.J., and Hixson, J., agree.

RITA W. GRUBER, JUDGE:

[CR-21-361](#). Christopher Rice v. State of Arkansas, from Ashley County Circuit Court. Affirmed. Vaught and Murphy, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-20-695](#). Elizabeth Garner v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Abramson and Brown, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-21-395](#). John Cullum v. Arkansas Department of Human Services and Minor Child, from Searcy County Circuit Court. Affirmed; motion to withdraw granted. Virden and Gladwin, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-21-342](#). Amanda Yancy v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to withdraw granted. Gruber and Murphy, JJ., agree.

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KENNETH S. HIXSON, JUDGE:

[E-21-175](#). Haley McPherson v. Director, Division of Workforce Services; and Schlotzsky's Deli, from the Arkansas Board of Review. Reversed. Harrison, C.J., and Klappenbach, J., agree.

MIKE MURPHY, JUDGE:

[E-21-191](#). Martha Soler v. Director, Department of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Gruber and Vaught, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-21-54](#). James West v. Shelter Mutual Insurance Company, from Pike County Circuit Court. Affirmed. Abramson and Barrett, 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-21-88. Allandraus Carson v. Director et al.

E-21-90. Sheryl Scott v. Director et al.

E-21-151. Carlton Peoples v. Director et al.

E-21-152. Carlton Peoples v. Director et al.

E-21-153. Carlton Peoples v. Director et al.

E-21-154. Carlton Peoples v. Director et al.

E-21-177. Jo Poe v. Director et al.

E-21-178. Jo Poe v. Director et al.

E-21-180. Pete Terwilleger v. Director et al.

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- E-21-181. Nikki Jackson v. Director et al.
- E-21-182. Gary Huskey v. Director et al.
- E-21-183. Johnny Gipson v. Director et al.
- E-21-184. Mary Bynum v. Director et al.
- E-21-185. Trevernon Wesley v. Director et al.
- E-21-186. Laiken Branscum v. Director et al.
- E-21-187. Johnathon Slayton v. Director et al.
- E-21-189. Matthew Robinson v. Director et al.
- E-21-190. Matthew Robinson v. Director et al.
- E-21-192. Sha-Sha Wofford v. Director et al.
- E-21-193. Sue Ussery v. Director et al.
- E-21-194. Nenomshia Lambert v. Director et al.

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PER CURIAM ORDERS

CR-98-1079. Ricky Maier v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion for rule on clerk to proceed with a motion to vacate the sentence is denied.

CR-98-1079. Ricky Maier v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion for appointment of counsel is denied.

CR-19-860. Stephon Tyrone Harris v. State of Arkansas, from Garland County Circuit Court. Motion of T. Clay Janske for attorney's fees is granted. Allowed \$2000.00. Viriden, J., not participating.

CR-20-452. Preston Johnson v. State of Arkansas, from Saline County Circuit Court. Motion of F. Parker Jones III for attorney's fees is denied. See Ark. Sup. Ct. R. 6-6(d).

CR-21-109. Ronnie Nixon v. State of Arkansas, from Poinsett County Circuit Court. Motion of Terry Goodwin Jones for attorney's fee is granted. Allowed \$2000.00.

CR-21-502. Jeffrey Armor v. State of Arkansas, from Boone County Circuit Court. Appellant's petition for leave to proceed in forma pauperis is moot.

CR-21-502. Jeffrey Armor v. State of Arkansas, from Boone County Circuit Court. Appellant's amended petition for leave to proceed in forma pauperis is denied without prejudice.

CR-22-3. Sterling D. Woolford v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant's petition for writ of certiorari to complete the record on appeal is granted. Gruber, J., not participating.

CR-22-4. Michelle Lawrence v. State of Arkansas, from Grant County Circuit Court. Appellant's pro se motion for belated appeal is denied.

CR-22-20. Jacorey Green v. State of Arkansas, from Clark County Circuit Court. Appellant's motion for rule on the clerk is granted.

CR-22-21. Stacy Mitchell v. State of Arkansas, from Benton County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

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PER CURIAM ORDERS

CR-22-26. Joseph Cessna v. State of Arkansas, from Pope County Circuit Court. Motion of Jefferson K. Faught to be relieved and stay briefing schedule is granted. Virden, J., not participating.

CV-20-748. Ollie Hammett and Lucy Hammett, Husband and Wife v. Simmons Bank f/k/a Simmons First National Bank, from Pulaski County Circuit Court, Seventeenth Division. Suggestion of death is noted.

CV-21-460. Ascentium Capital, LLC v. James Marshall, Individually and d/b/a Your Furniture Store, from Pulaski County Circuit Court, Fourth Division. Appellee's motion to file belated response brief is granted. Appellee's brief is due in fifteen days (February 10, 2022). Final extension. Abramson, J., not participating.

CV-21-618. Bryan Gadberry v. Autumn Gadberry, from Pulaski County Circuit Court, Fifteenth Division. Appellant's pro se motion for rule on the clerk is granted. Gruber, J., not participating.

CV-21-618. Bryan Gadberry v. Autumn Gadberry, from Pulaski County Circuit Court, Fifteenth Division. Appellant's pro se petition for writ of certiorari to complete the record is granted. Gruber, J., not participating.

CV-22-17. Kelley L. Saunders (now Manning) v. Ryan E. Saunders, from Cleveland County Circuit Court. Appellant's motion for a protective order to seal is denied. See Arkansas Supreme Court Administrative Order No. 19.

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

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MOTIONS SUBMITTED

CR-20-729. Frankie DeJohn v. State of Arkansas, from Washington County Circuit Court. Motion of Sonia Kezhaya for attorney's fees.

CR-21-297. Micah Angel v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's pro se motion for oral argument.

CR-21-626. Santiago Vasquez, Jr. v. State of Arkansas, from Greene County Circuit Court. Appellant's petition for certiorari to supplement the record and for brief time.

CR-22-44. Toby Carter v. State of Arkansas, from Saline County Circuit Court. Appellant's motion to substitute counsel.

CV-21-523. Crowder Land Company, LLC; Estate of Kenneth E. Pace; Grayson Land & Timber Company, LP; ATWL Resources, LLC; Bavarian Timber 2015, LLC; Twin Creeks Timber, LLC; Roydell B. Osteen; and Katherine Bruillette v. Charles Payne and Edna Payne, from Ouachita County Circuit Court. Appellees' motion to dismiss appeal for want of a final order and alternative motion for extension of time to file appellees' brief.

CV-21-565. Tempworks Management Services, Inc.; and AmTrust North America v. Gary Jaynes, from the Arkansas Workers' Compensation Commission. Appellants' motion to supplement the record and for extension to file brief.

CV-21-612. Kenneth Steward and Lydia Steward v. Arkansas Department of Human Services and Minor Children, from Benton County Circuit Court. Appellant's motion for extension of time to file brief.

E-21-396. Ronald Parks v. Director et al., from the Arkansas Board of Review. Petitioner's motion to decide case without brief.

E-21-569. Cheryl Pillow v. Director et al., from the Arkansas Board of Review. Appellant's motion to supplement the record or remand to the Board of Review.

E-22-29. Marcus Davis v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

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CASES SUBMITTED

CV-19-686. Elaine Petroleum Distributor, Inc.; and Qingdao Xiyangmen Double Camel Tyre Co., LTD v. Betsy Snyder, as Administratrix of the Estate of Michael Snyder, Deceased, from Phillips County Circuit Court. Orally argued.

CR-21-182. Donald Wayne Black v. State of Arkansas, from Saline County Circuit Court.

CR-21-309. John Workman v. State of Arkansas, from Benton County Circuit Court.

CR-21-330. Toby Howe v. State of Arkansas, from Benton County Circuit Court.

CR-21-370. Nicholas Long v. State of Arkansas, from Benton County Circuit Court.

CV-20-617. Sherwood Nursing and Rehabilitation Center, Inc.; Sherwood Nursing Center, Inc.; Central Arkansas Nursing Centers, Inc.; David Norsworthy; Michael S. Morton; Kindred Hospice Services, LLC; Odyssey Healthcare Operating A, LP, d/b/a Kindred Hospice II; and John Does 1 through 10 v. Susan Cazort, as Special Administratrix of the Estate of Lena Mozelle McGaughey, Deceased; and on Behalf of the Wrongful Death Beneficiaries of Lena Mozelle McGaughey, from Pulaski County Circuit Court, Twelfth Division.

CV-20-733. Larry Phifer v. Janet Ouellette, Personal Representative of the Estate of Ruth Cowin; Richard Cowin; Margot Cowin; Anadarko E&P Company, L.P., a Delaware Partnership; Anadarko Land Corp., a Nebraska Corporation; Chesapeake Exploration, LLC, an Oklahoma Limited Liability Company; Southwestern Energy Company, a Delaware Corporation; and BHP Billiton Petroleum (Fayetteville), LLC, a Delaware Limited Liability Company, from White County Circuit Court.

CV-21-1. Travis Quinn v. The Travelers Indemnity Company and Travelers Property Casualty Co. of America, from Montgomery County Circuit Court.

CV-21-384. John Cullum v. Arkansas Department of Human Services and Minor Child, from Van Buren County Circuit Court.

CV-21-405. Friedrich Dreher v. Arkansas Department of Human Services and Minor Child, from Saline County Circuit Court.

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CASES SUBMITTED

CV-21-406. Carianne Henry v. Arkansas Department of Human Services and Minor Child, from Carroll County Circuit Court, Eastern District.

CV-21-411. Nitsa Gascot v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.

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

E-21-219. Wayne Royster v. Director et al.

E-21-220. Wayne Royster v. Director et al.

E-21-223. Lyndee Moore v. Director et al.

E-21-224. Nancy Witmer v. Director et al.

E-21-227. Gonzalo Areas v. Director et al.

E-21-228. Robert Randolph, Jr. v. Director et al.

E-21-229. Erika Guy v. Director et al.

E-21-230. Kimberly Holmes v. Director et al.

E-21-231. Roark Erikson v. Director et al.

E-21-232. Amber West v. Director et al.

E-21-233. Kelly Massey v. Director et al.

E-21-234. Felita Lewis-White v. Director et al.

E-21-235. Shaquita Jackson v. Director et al.

E-21-236. Sa'Davvyan Malone v. Director et al.

E-21-237. Ariel Johns v. Director et al.

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CASES SUBMITTED

- E-21-238. Andrew Martin v. Director et al.
- E-21-239. Alden Hill v. Director et al.
- E-21-240. Jacob Gore v. Director et al.
- E-21-241. Albert Christopher, Jr. v. Director et al.
- E-21-242. Andrew Watkins v. Director et al.
- E-21-243. Kara Wright v. Director et al.
- E-21-244. Garry Moore v. Director et al.
- E-21-245. Kelly Harrell v. Director et al.
- E-21-252. Thomas Bradford v. Director et al.