

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

RAYMOND R. ABRAMSON, JUDGE:

[CV-21-72](#). (In the Matter of the Guardianship of Z.S., a Minor) Pamela and Bobby Sullins v. Cathy Nelson, from Marion County Circuit Court. Affirmed. Harrison, C.J., and Gladwin, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-21-228](#). Erica Kirby v. State of Arkansas, from Crawford County Circuit Court. Affirmed in part as modified; reversed and dismissed in part. Harrison, C.J., and Abramson, J., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-21-359](#). A.H. v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Vaught and Brown, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-21-112](#). Hollie Sutterfield v. Noah Sutterfield, from Boone County Circuit Court. Reversed and remanded. Virden and Gruber, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-21-309](#). John Erin Workman v. State of Arkansas, from Benton County Circuit Court. Affirmed. Virden and Gladwin, JJ., agree.

[CV-20-702](#). Bobbi Bennett Patterson v. Keith Bennett and Deborah Bennett, from Pulaski County Circuit Court, Ninth Division. Reversed and remanded. Hixson and Murphy, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-20-542](#). Malik Muntaqim, ADC #088633 v. Wendy Kelley, Director, Arkansas Department of Correction, et al., from Hot Spring County Circuit Court. Affirmed in part; reversed and remanded in part. Klappenbach and Brown, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

KENNETH S. HIXSON, JUDGE:

[CV-21-50](#). Christopher Akers v. K-MAC Enterprises, Inc., d/b/a Taco Bell, from Sebastian County Circuit Court, Fort Smith District. Reversed and remanded. Whiteaker and Murphy, JJ., agree.

MIKE MURPHY, JUDGE:

[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. Affirmed as modified. Gruber and Vaught, JJ., agree.

[CV-21-449](#). Sonya Core v. Arkansas Department of Human Services and Minor Children, from Logan County Circuit Court, Northern District. Affirmed. Whiteaker and Hixson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-21-131](#). Janae Robinson v. Aaron Robinson, from Benton County Circuit Court. Affirmed. Klappenbach 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-21-246. Markeita Love v. Director et al.

E-21-247. Markeita Love v. Director et al.

E-21-248. David Sinnett v. Director et al.

E-21-249. David Sinnett v. Director et al.

E-21-250. Imelda Lum v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

- E-21-251. Imelda Lum v. Director et al.
- E-21-253. Rhonda McDaniels v. Director et al.
- E-21-255. Donna Ford v. Director et al.
- E-21-256. Kathy Ross v. Director et al.
- E-21-257. Janine Erhardt v. Director et al.
- E-21-259. Phillip Howard v. Director et al.
- E-21-263. Trina Graves v. Director et al.
- E-21-264. Regina Lawson v. Director et al.
- E-21-266. Sherilee Owen v. Director et al.
- E-21-267. Jacquetta Kennedy v. Director et al.
- E-21-268. Gary Higgins, Jr. v. Director et al.
- E-21-269. Trina Graves v. Director et al.
- E-21-270. Erica Caldwell v. Director et al.
- E-21-271. Amanda Nordin v. Director et al.
- E-21-272. Alisa Nelson v. Director et al.
- E-21-273. Sheila Camp v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

PER CURIAM ORDERS

CR-21-438. Theodora Mohammed v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellee's motion to dismiss, or alternatively, for brief time. Appellee's motion to dismiss is granted.

CR-21-486. Gary Chambers v. State of Arkansas, from Clark County Circuit Court. Appellant's pro se motion for appointment of counsel is granted.

CR-21-486. Gary Chambers v. State of Arkansas, from Clark County Circuit Court. Appellee's motion for stay of brief time is granted.

CR-21-566. Christopher Parker v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for rule on the clerk is granted.

CR-21-566. Christopher Parker v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to supplement the record, or in the alternative, motion to correct the record is granted.

CR-22-8. Johnathan Holbrook-Knecht v. State of Arkansas, from Pope County Circuit Court. Joint motion to substitute counsel of record is granted. Viriden, J., not participating.

CR-22-67. Perry Louis McGowan v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Appellant's pro se petition for leave to proceed in forma pauperis is moot.

CR-22-67. Perry Louis McGowan v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Appellant's pro se amended petition for leave to proceed in forma pauperis is granted.

CR-22-67. Perry Louis McGowan v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Appellant's motion for appointment of counsel on appeal is granted.

CR-22-67. Perry Louis McGowan v. State of Arkansas, from Mississippi County Circuit Court, Osceola District. Motion of Danny Williams to be relieved as counsel on appeal is granted.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

PER CURIAM ORDERS

CV-21-531. LeRaye Atwood v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Appellant's pro se motion to file belated points of appeal is granted.

CV-21-628. Rebecca Dayberry, Individually, and as Mother and Next Friend of ND, a Minor v. Rhonda Michelle Payne and John Does 1–10, from Washington County Circuit Court. Appellant's motion to correct the record is granted. Hixson, J., not participating.

E-21-491. Christina Roberts v. Director et al., from the Arkansas Board of Review. Appellees' motion to accept corrected record is granted.

E-21-492. Christina Roberts v. Director et al., from the Arkansas Board of Review. Appellees' motion to accept corrected record is granted.

E-21-537. Tiffany Thomas v. Director et al., from the Arkansas Board of Review. Petitioner's motion to decide case without brief is granted.

E-21-587. James Tanksley v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is granted.

E-21-695. Shahzad Aslam v. Director et al., from the Arkansas Board of Review. Appellees' motion for extension of time to file record is granted.

E-21-696. Shahzad Aslam v. Director et al., from the Arkansas Board of Review. Appellees' motion for extension of time to file record is granted.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-20-720. Melissa Perrin-Reed v. William Reed, from Craighead County Circuit Court, Western District.

CR-20-544. Jerry Wayne Shinn v. State of Arkansas, from Crittenden County Circuit Court. Motion of S. Butler Bernard, Jr., for attorney's fees.

CR-21-115. Ay'Rhogunce Jacolbi Miller v. State of Arkansas, from Crittenden County Circuit Court. Motion of S. Butler Bernard, Jr., for attorney's fees.

CR-21-287. Christine Angelia Loyd v. State of Arkansas, from Faulkner County Circuit Court. Motion of Robert N. Jeffrey for attorney's fees.

CR-21-307. Andrew Dennis Beal v. State of Arkansas, from Benton County Circuit Court. Motion of Eric Moore for award of attorney's fees.

CR-21-399. Aaron Davis Todd v. State of Arkansas, from Faulkner County Circuit Court. Motion of Robert N. Jeffrey for attorney's fees.

CR-21-548. Dewayne Tilmon v. State of Arkansas, from Garland County Circuit Court. Appellant's motion to keep brief under seal.

CR-21-604. Randy Mitchell v. State of Arkansas, from Sharp County Circuit Court. Appellee's motion to file a corrected brief.

CV-21-428. Crystal Hutton v. Arkansas Department of Human Services and Minor Child, from Lawrence County Circuit Court. Appellees' motion to expand word count.

CV-21-543. Evangelical Lutheran Good Samaritan Society; Sentry Insurance; and Death and Permanent Total Disability Trust Fund v. Tara A. Rowland, from the Arkansas Workers' Compensation Commission. Appellee's motion to file belated brief and motion for additional ten days to file.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

MOTIONS SUBMITTED

CV-21-562. Nutrien AG Solutions, Inc.; and Larry Wilson v. Colton Heavner, from St. Francis County Circuit Court. Appellee's motion for sanctions on appeal.

CV-21-562. Nutrien AG Solutions, Inc.; and Larry Wilson v. Colton Heavner, from St. Francis County Circuit Court. Appellee's motion for withdrawal of motion for Rule 11 sanctions.

CV-21-573. Cassey Bassett v. Jeremy Emery, Kendra Emery, and Dusty Emery, from Greene County Circuit Court. Appellant's motion to correct and/or substitute brief.

CV-22-74. Ashlee Christensen v. Arkansas Department of Human Services and Minor Children, from Crawford County Circuit Court. Appellant's motion for rule on clerk.

CV-22-77. Romonte Youngblood v. Arkansas Department of Human Services and Minor Children, from Faulkner County Circuit Court. Appellees' joint motion to dismiss.

CV-22-78. Vivek Dicholkar v. Blake McMillon, from Benton County Circuit Court. Appellant's motion to remand to settle the record and petition for certiorari to complete the record.

E-21-679. Glenda Hampton v. Director et al., from the Arkansas Board of Review. Appellees' motion for extension of time to file record.

E-21-681. Toby Alexander v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand.

E-22-45. Nakita Hollingsworth v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

E-22-66. Sydney Golding v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

CASES SUBMITTED

CR-21-266. Granville Murphy v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District.

CR-21-331. Michael Williams v. State of Arkansas, from Faulkner County Circuit Court.

CR-21-442. Tonya Price v. State of Arkansas, from Lonoke County Circuit Court.

CR-21-459. Cameron Braswell v. State of Arkansas, from Drew County Circuit Court.

CV-21-42. St. Joseph's Utility Operating Company, LLC v. Alexander Municipal Property Owners' Multipurpose Improvement District No. 43; Alexander Municipal Property Owners' Multipurpose Improvement District No. 86; and St. Joseph's Glen Property Owners' Association, from Saline County Circuit Court.

CV-21-56. Arkansas Department of Human Services, Division of Medical Services v. Northwest Health System, from Pulaski County Circuit Court, Second Division.

CV-21-97. Patrick Dixon Mehaffy v. Marley Jo Clark, Individually, and as Trustee of the Clark Revocable Trust Dated August 7, 2003; the Clark Revocable Trust Dated August 7, 2003; Marley Jo Clark as Trustee of the Marley Jo Clark Revocable Trust; the Marley Jo Clark Revocable Trust; Marley Jo Clark, Jr., Individually, and as Trustee of the Clark Revocable Trust; Merit Energy Company, LLC; BP America Production Company; Shale Royalty, LLC; and All Other Persons or Entities Claiming an Interest in and to the Surface and Oil, Gas or Other Minerals in and to the Following Real Property, To-Wit: NE¹/₄ , NE¹/₄ NW¹/₄; SW¹/₄ NW¹/₄; SE¹/₄ NW¹/₄; NE¹/₄ SW¹/₄; NW¹/₄ SW¹/₄; and the W¹/₂ SE¹/₄, all in Section 27, Township 8 North, Range 11 West, Faulkner County, Arkansas, from Faulkner County Circuit Court.

CV-21-129. Northport Health Services of Arkansas, LLC, d/b/a Paris Health and Rehabilitation Center; and Northport Health Services, Inc. v. Thomas Chancey, as Administrator/Personal Representative of the Estate of Lucy Chancey, Deceased, from Logan County Circuit Court, Northern District.

CV-21-153. Kent McKelvey v. Sheryl McKelvey, from Pulaski County Circuit Court, Second Division.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 16, 2022

CASES SUBMITTED

CV-21-174. Kerry Hollis v. Constance Hinton and Valerie Hinton, from Drew County Circuit Court.

CV-21-180. Razorback Rides, LLC v. Mary Birdsong and Norm Farnum, Individually, and as Trustees of LSI, an Irrevocable Trust, from Boone County Circuit Court.

CV-21-214. Frederick Herrod and \$1,022 in U.S. Currency v. State of Arkansas, from Washington County Circuit Court.

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

E-21-297. Takela Gardner v. Director et al.

E-21-298. Takela Gardner v. Director et al.

E-21-300. Soila Reyes v. Director et al.

E-21-301. Mary Hays v. Director et al.

E-21-302. Jesse Rose v. Director et al.

E-21-303. Jesse Rose v. Director et al.

E-21-304. Brandon Ballard v. Director et al.

E-21-305. Shaylan Dillon v. Director et al.

E-21-306. Shaylan Dillon v. Director et al.

E-21-307. Tony Copeland v. Director et al.

E-21-308. Jonathan Vidrine v. Director et al.

E-21-309. Constance Gardner v. Director et al.

E-21-310. Ashley Cronney v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF FEBRUARY 16, 2022

CASES SUBMITTED

- E-21-311. Michael Garcia v. Director et al.
- E-21-312. Tammie Bones v. Director et al.
- E-21-313. Christopher Thomas v. Director et al.
- E-21-314. Shaniqua Baker v. Director et al.
- E-21-315. Carol Harris v. Director et al.
- E-21-316. Casey Qualls v. Director et al.
- E-21-317. Daniel James v. Director et al.
- E-21-318. Daniel James v. Director et al.
- E-21-319. Daniel James v. Director et al.
- E-21-320. Judy Ruiz v. Director et al.
- E-21-321. Anthony Yarbrough v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>