

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 2, 2022

BRANDON J. HARRISON, CHIEF JUDGE:

[E-21-81](#). Amanda Sharum v. Director, Arkansas Department of Commerce, Division of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Klappenbach, J., agrees. Hixson, J., concurs.

RAYMOND R. ABRAMSON, JUDGE:

[CV-21-56](#). Arkansas Department of Human Services, Division of Medical Services v. Northwest Health System, from Pulaski County Circuit Court, Second Division. Affirmed. Harrison, C.J., and Gladwin, J., agree.

BART F. VIRDEN, JUDGE:

[CV-21-174](#). Kerry Hollis v. Valerie Hinton, from Drew County Circuit Court. Dismissed. Gruber and Barrett, JJ., agree.

[CV-21-447](#). Christy Collier v. Arkansas Department of Human Services and Minor Children, from Logan County Circuit Court, Northern District. Affirmed. Gruber and Barrett, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-21-331](#). Michael Anthony Williams v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Harrison, C.J., and Abramson, J., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-21-459](#). Cameron J. Braswell v. State of Arkansas, from Drew County Circuit Court. Affirmed. Vaught and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-21-129](#). Northport Health Services of Arkansas, LLC, d/b/a Paris Health and Rehab Center; and Northport Health Services, Inc. v. Thomas Chancey, Guardian of the Estate and Person of Lucy Chancey, an Incapacitated Person, from Logan County Circuit Court, Northern District. Affirmed. Virden and Barrett, JJ., agree.

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STEPHANIE POTTER BARRETT, JUDGE:

[CR-21-442](#). Tonya D. Price v. State of Arkansas, from Lonoke County Circuit Court. Affirmed in part; remanded in part. Virden and Gruber, JJ., agree.

[CV-20-750](#). Christopher Miles and All Other Similarly Situated Persons v. Craighead County, Arkansas; and Jack McCann, Craighead County Sheriff, from Craighead County Circuit Court, Western District. Reversed. Virden, Gladwin, and Whiteaker, JJ., agree. Abramson and Brown, JJ., dissent.

PHILLIP T. WHITEAKER, JUDGE:

[CV-21-214](#). Frederick Herrod and \$1,022 in U.S. Currency v. State of Arkansas, from Washington County Circuit Court. Affirmed. Hixson and Murphy, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[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. Reversed and remanded. Klappenbach and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-21-266](#). Granville Murphy v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Whiteaker and Murphy, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-21-367](#). Joseph Allen v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Whiteaker and Hixson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-21-153](#). Kent McKelvey v. Sheryl McKelvey, from Pulaski County Circuit Court, Second Division. Appeal dismissed. Klappenbach and Vaught, JJ., agree.

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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-21-258. Corey Welch v. Director et al.

E-21-262. Regina Lawson v. Director et al.

E-21-265. Bennie Hilliard III v. Director et al.

E-21-286. Amber Wolfe v. Director et al.

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 Croney v. Director et al.

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- 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.

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PER CURIAM ORDERS

CR-22-83. Jay Lee Parker v. State of Arkansas, from Scott County Circuit Court. Appellant's motion for rule on clerk is granted.

CV-21-222. Camp Nine Co., Inc. v. Firehunt, Inc., from Desha County Circuit Court. Appellee's motion to dismiss appeal is denied. Harrison, C.J., would remand. See *Kinder v. Kinder*, 2021 Ark. App. 40, 617 S.W.3d 307.

CV-21-324. Aujontae J. Daniels v. Roma Investments, LLC, from Pulaski County Circuit Court, Seventeenth Division. Appellant's pro se motion for extension of time to file brief is denied.

CV-21-424. (In the Matter of the Guardianship of Jacquelin Ann Dicus, an Incapacitated Person) Jacquelin Ann Dicus v. Tony Dicus, from Pulaski County Circuit Court, Fourteenth Division. Appellee's notice to court of death of appellant; motion to dismiss and motion to stay briefing schedule is moot. Gladwin, J., not participating.

CV-21-424. (In the Matter of the Guardianship of Jacquelin Ann Dicus, an Incapacitated Person) Jacquelin Ann Dicus v. Tony Dicus, from Pulaski County Circuit Court, Fourteenth Division. Appellee's amended notice to court of death of appellant is noted. Gladwin, J., not participating.

CV-21-424. (In the Matter of the Guardianship of Jacquelin Ann Dicus, an Incapacitated Person) Jacquelin Ann Dicus v. Tony Dicus, from Pulaski County Circuit Court, Fourteenth Division. Appellee's motion to dismiss is granted. Abramson, Virden, Hixson, and Murphy, JJ., would deny. Gladwin, J., not participating.

CV-21-424. (In the Matter of the Guardianship of Jacquelin Ann Dicus, an Incapacitated Person) Jacquelin Ann Dicus v. Tony Dicus, from Pulaski County Circuit Court, Fourteenth Division. Appellee's second motion for extension of brief time is denied. Abramson, Virden, Hixson, and Murphy, JJ., would grant. Gladwin, J., not participating.

E-22-35. James Kelloms v. Director et al., from the Arkansas Board of Review. Pro se motion to correct the initial petition is granted.

E-22-71. Reginal Foreman v. Director et al., from the Arkansas Board of Review. Pro se motion for belated appeal is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-19-858. David Kinder v. Wendy Kinder, from Pulaski County Circuit Court, Third Division.

CV-21-124. Gerald T. (Jerry) Silzell v. Sammy Ann Silzell, from Baxter County Circuit Court.

CR-20-207. Joseph Evan Bennion v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion to file belated pro se points for reversal.

CR-21-361. Christopher Rice v. State of Arkansas, from Ashley County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-21-535. Joey Penix v. State of Arkansas, from Lawrence County Circuit Court. Appellant's motion for additional brief time and for motion for expansion of word count limitation.

CR-22-21. Stacy Mitchell v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for extension of time to supplement record.

CR-22-98. Martha Rosario Gonzales v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for extension of time to file brief.

CR-22-103. Justin Moody v. State of Arkansas, from Faulkner County Circuit Court. Motion to be relieved as counsel for the appellant for purposes of appeal.

CR-22-103. Justin Moody v. State of Arkansas, from Faulkner County Circuit Court. Amended motion to be relieved as counsel for the appellant for purposes of appeal.

CR-22-112. John Krieger v. State of Arkansas, from Howard County Circuit Court. Appellant's motion to remand to settle the record.

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MOTIONS SUBMITTED

CR-22-112. John Krieger v. State of Arkansas, from Howard County Circuit Court. Amended motion to remand to settle the record and petition for writ of certiorari to complete the record.

CV-21-414. Frank J. Iacampo v. Deborah J. Iacampo n/k/a Deborah Hoffpauir, from Mississippi County Circuit Court, Chickasawba District. Joint motion to supplement the record.

CV-21-445. John Dickerson, Jr., Administrator of the Estate of Betty Matlock, Deceased v. St. Vincent Hospital; Emmanuel Tancinco, M.D.; and Nizar Mohamedali Suleman, M.D., from Garland County Circuit Court. Suggestion of death of co-appellee.

CV-21-618. Bryan Gadberry v. Autumn Gadberry, from Pulaski County Circuit Court, Fifteenth Division. Third-party respondent's motion for leave to file motion for reconsideration.

CV-21-618. Bryan Gadberry v. Autumn Gadberry, from Pulaski County Circuit Court, Fifteenth Division. Third-party respondent's motion for extension of time.

CV-22-111. Bobbie Viele v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Tenth Division. Appellant's motion for belated appeal.

CV-22-118. Little Rock School District v. Charles Parliament, from Pulaski County Circuit Court, Sixth Division. Motion of John Ogles to be relieved as attorney on appeal.

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CASES SUBMITTED

CR-21-254. Logan William Duane Morrison v. State of Arkansas, from Benton County Circuit Court.

CV-21-87. (In the Matter of the Estate of John Z. Tackett, Jr., Deceased) Cody Tackett and Toni Tackett Womble v. Amy Freedman, Special Administratrix of the Estate of John Z. Tackett, Jr., Deceased; Miller-Claborn Oil Distributing Company, Inc.; and Melissa Wright Tackett, from Sevier County Circuit Court.

CV-21-151. Cooper Realty Investments, Inc. v. City of Bentonville, Arkansas, from Benton County Circuit Court.

CV-21-190. Steven Carrick v. Baptist Health, Claims Administrative Services; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-21-380. Serena Dodson v. Valley Behavioral Health Systems; Indemnity Insurance Company of North America; ESIS, Inc.; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-21-510. Kerri Younger and Christopher Womack v. Arkansas Department of Human Services and Minor Children, from Yell County Circuit Court, Northern District.

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

E-21-322. Isaac Russell v. Director et al.

E-21-323. Starla Frazier v. Director et al.

E-21-324. Casey Vaughn v. Director et al.

E-21-326. Kordelro Brooks v. Director et al.

E-21-328. Gary Pinegar v. Director et al.

E-21-329. Kevin Bennett v. Director et al.

E-21-330. Dawn Hallmark v. Director et al.

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CASES SUBMITTED

E-21-331. Clevester Davis v. Director et al.

E-21-332. Randall Abbott v. Director et al.

E-21-333. Randall Abbott v. Director et al.

E-21-334. Roscoe Terral v. Director et al.

E-21-335. Erin Gaston v. Director et al.