

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 11, 2022**

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

[CR-21-393](#). Jeffery Dunlap v. State of Arkansas, from Saline County Circuit Court. Affirmed. Abramson and Gruber, JJ., agree.

[CR-21-394](#). Jeffery Dunlap v. State of Arkansas, from Saline County Circuit Court. Affirmed; remanded to correct sentencing order. Abramson and Gruber, JJ., agree.

[CV-21-259](#). Irag Rovnaghi v. Turag Ronaghi d/b/a Ronaghi International Rug Gallery, from Pulaski County Circuit Court, Sixth Division. Affirmed. Abramson and Gruber, JJ., agree.

**RAYMOND R. ABRAMSON, JUDGE:**

[CR-21-260](#). Raheem Deshun Stackhouse v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Harrison, C.J., and Gruber, J., agree.

[CV-21-288](#). Brenda Berryhill, Administratrix of the Estate of Ronnie Lynn Hill II v. Angela and Phillip Lester, from Columbia County Circuit Court. Affirmed. Harrison, C.J., and Gruber, J., agree.

**BART F. VIRDEN, JUDGE:**

[CV-21-243](#). Kimberly Stone Griffith v. Desiderio Juarez, Pulaski Bank & Trust Co., M. Shane Brosh, Lee Ann Brosh, Veronica Kaye Allen, Richard N. Allen, and Estate of Charlotte Jeanne Stone, from Pulaski County Circuit Court, Sixth Division. Affirmed. Whiteaker, J., agrees. Murphy, J., concurs.

[CV-21-281](#). Jamie Clark v. Steve Clark, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Whiteaker and Murphy, JJ., agree.

**N. MARK KLAPPENBACH, JUDGE:**

[CV-21-161](#). Mandi Cordell v. Matthew Hylle, from Cross County Circuit Court. Affirmed. Gladwin and Hixson, JJ., agree.

[CV-21-251](#). Jessica Joheim v. Meredith Joheim, from Pulaski County Circuit Court, Third Division. Affirmed. Gladwin and Hixson, JJ., agree.

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**STEPHANIE POTTER BARRETT, JUDGE:**

[CV-19-996](#). Shelbie T. McCue, Jeremy McCue, and Ashle Ware v. Michael H. Dominguez, Eduardo Contreras, and Stratford Insurance Company, from St. Francis County Circuit Court. Affirmed. Vaught and Brown, JJ., agree.

[CV-21-160](#). Crissy Schnick v. Gary Russell, from Craighead County Circuit Court, Western District. Affirmed. Vaught and Brown, JJ., agree.

[CV-21-591](#). Amber Prescott v. Arkansas Department of Human Services and Minor Children, from Crawford County Circuit Court. Affirmed. Vaught and Brown, JJ., agree.

**PHILLIP T. WHITEAKER, JUDGE:**

[CR-21-520](#). Correy Crawford v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Affirmed. Virden and Murphy, JJ., agree.

[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. Affirmed in part; reversed in part. Harrison, C.J., and Gladwin, Klappenbach, Barrett, and Brown, JJ., agree.

[E-21-254](#). Janice Johnson v. Director, Arkansas Department of Workforce Services, from the Arkansas Board of Review. Affirmed. Virden and Murphy, JJ., agree.

**LARRY D. VAUGHT, JUDGE:**

[CR-21-351](#). Steven Stuebinger v. State of Arkansas, from Marion County Circuit Court. Affirmed. Barrett and Brown, JJ., agree.

[CR-21-352](#). Steven Stuebinger v. State of Arkansas, from Marion County Circuit Court. Reversed. Barrett and Brown, JJ., agree.

**KENNETH S. HIXSON, JUDGE:**

[CR-21-604](#). Randy Mitchell v. State of Arkansas, from Sharp County Circuit Court. Appeal dismissed without prejudice. Gladwin and Klappenbach, JJ., agree.

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**KENNETH S. HIXSON, JUDGE: (Continued)**

[CV-19-499](#). John Ray Dye and Bobby Jo Dye v. Precision Foundation Specialties & Flow Rite Drainage Solutions, Inc., from Benton County Circuit Court. Affirmed on direct appeal; reversed and remanded on cross-appeal. Gladwin and Klappenbach, JJ., agree.

[CV-21-603](#). Miguel Campos v. Arkansas Department of Human Services; and S.M. and M.C., from St. Francis County Circuit Court. Reversed and remanded. Gladwin and Klappenbach, JJ., agree.

[E-21-243](#). Kara Wright v. Director, Arkansas Department of Commerce, Division of Workforce Services, from the Arkansas Board of Review. Affirmed. Klappenbach, Barrett, and Brown, JJ., agree. Harrison, C.J., and Abramson, J., dissent.

**MIKE MURPHY, JUDGE:**

[CR-21-530](#). Stevie Lee Young, Jr. v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Virden and Whiteaker, JJ., agree.

[CV-21-263](#). Jordan Mason, Deceased v. Wilson Brothers Lumber Company, LLC; Praetorian Insurance Company; and Frank & Grady, LLLP, from the Arkansas Workers' Compensation Commission. Affirmed on direct appeal; affirmed on cross-appeal. Virden and Whiteaker, JJ., agree.

[E-21-222](#). Alicia Erives v. Director, Division of Workforce Services, from the Arkansas Board of Review. Affirmed. Virden and Whiteaker, JJ., agree.

[E-21-226](#). Alicia Erives v. Director, Division of Workforce Services, from the Arkansas Board of Review. Affirmed. Virden and Whiteaker, JJ., agree.

**WAYMOND M. BROWN, JUDGE:**

[CV-21-44](#). Angela Moody v. Edward Moody, from Pulaski County Circuit Court, Seventeenth Division. Dismissed without prejudice. Barrett and Vaught, JJ., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 11, 2022**

**WAYMOND M. BROWN, JUDGE: (Continued)**

[CV-21-495](#). Little Rock Ambulance Authority & Arkansas Municipal League Workers' Compensation Trust v. James Binkley, from the Arkansas Workers' Compensation Commission. Affirmed on direct appeal; reversed and remanded on cross-appeal. Barrett and Vaught, JJ., agree.

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**PER CURIAM ORDERS**

REHEARINGS DENIED: Petitions for rehearing were denied today in the following cases.

CV-21-49. J.E. Bonding, Inc. v. State of Arkansas, from Garland County Circuit Court.

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

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.

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CR-99-354. Billy Mac Nichols, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Appellant's pro se motion pursuant to Rule 19 of the Arkansas Rules of Appellate Procedure is denied.

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 is granted. Appellant's brief is due June 24, 2022. Final extension.

CV-21-170. Richard Cosner v. C&J Forms and Labels Company; and Safeco Property & Casualty Insurance, from the Arkansas Workers' Compensation Commission. Appellant's motion for an award of attorney's fees is granted.

CV-21-224. Ashley Olinghouse v. Phillip Olinghouse, from Pulaski County Circuit Court, Seventeenth Division. Motion of Adrienne M. Griffis to withdraw as appellee's counsel is granted. Murphy, J., not participating.

CV-21-412. Tracy Wilson v. Jeffrey Wilson, from Benton County Circuit Court. Motion for reconsideration of motion to file belated brief and for extension of brief time is denied.

CV-22-246. Danny Alcoser v. Amber Thurman, from Benton County Circuit Court. Appellant's pro se petition for leave to proceed in forma pauperis is denied.

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**PER CURIAM ORDERS**

CV-22-246. Danny Alcoser v. Amber Thurman, from Benton County Circuit Court. Appellant's pro se motion to proceed without certified clerk's record is denied.

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**PROCEEDINGS OF MAY 11, 2022**

**MOTIONS SUBMITTED**

CR-22-178. Charles E. Smith v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's motion to supplement the record on appeal.

CR-22-226. Thelma Williams. v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to file a nonconforming brief.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for transcript of January 13, 2022, trial witnesses and court proceedings.

CR-22-268. Mikato Fulks v. State of Arkansas, from Washington County Circuit Court. Motion of Peter E. Giardino for leave to withdraw as counsel for the appellant.

CR-22-269. Martha Hughes v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's motion for rule on clerk and resetting briefing schedule.

CV-21-414. Frank J. Iacampo v. Deborah J. Iacampo n/k/a Deborah Hoffpauir, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion for belated motion for extension of brief time.

CV-21-532. Sara (Gleghorn) Stormes v. Trey Eli Gleghorn, from Craighead County Circuit Court, Western District. Motion of Barrett S. Moore for substitution of counsel for the appellee.

CV-21-618. Bryan Gadberry v. Autumn Gadberry, from Pulaski County Circuit Court, Fifteenth Division. Appellant's motion to remand to settle the record, petition for certiorari to complete the record, and to stay briefing schedule.

CV-22-102. Kerry Baker, as Administrator of the Estate of James Luke Baker; Kerry Baker, Individually; Savannah Baker Case, Individually; and Gena Downey Baker, Individually v. Bryan Adams; Skylar Wilson; Travis Jones; Carson Cook; Karla Cook; Prairie Wings South, LLC; Austin Tate; John Tate; and Certain John Doe Companies and Individual John and Jane Does to be Determined; Prairie Wings Lodge, LLC; Christie Adams; Mary Tate; Reliance Health Care, Inc.; Brandon Adams; Todd Ross; and Joe Whicker, from Jefferson County Circuit Court. Appellants' petition for certiorari to complete the record and to stay briefing schedule.

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**MOTIONS SUBMITTED**

CV-22-102. Kerry Baker, as Administrator of the Estate of James Luke Baker; Kerry Baker, Individually; Savannah Baker Case, Individually; and Gena Downey Baker, Individually v. Bryan Adams; Skylar Wilson; Travis Jones; Carson Cook; Karla Cook; Prairie Wings South, LLC; Austin Tate; John Tate; and Certain John Doe Companies and Individual John and Jane Does to be Determined; Prairie Wings Lodge, LLC; Christie (sic) Adams; Mary Tate; Reliance Health Care, Inc.; Brandon Adams; Todd Ross; and Joe (sic) Whicker, from Jefferson County Circuit Court. Motion to determine appellate jurisdiction and if appropriate to remand for entry of a final order.

CV-22-108. John Wesley Tippit v. Charlotte A. Davis, from Clay County Circuit Court, Western District. Appellant's pro se motion to submit a nonconforming brief.

CV-22-108. John Wesley Tippit v. Charlotte A. Davis, from Clay County Circuit Court, Western District. Motion of Robert F. Thompson to withdraw as counsel for the appellee.

CV-22-109. John Wesley Tippit v. Charlotte A. Davis, from Clay County Circuit Court, Western District. Appellant's pro se motion to submit a nonconforming brief.

CV-22-109. John Wesley Tippit v. Charlotte A. Davis, from Clay County Circuit Court, Western District. Motion of Robert F. Thompson to withdraw as counsel for the appellee.



## **ARKANSAS COURT OF APPEALS**

### **PROCEEDINGS OF MAY 11, 2022**

#### **CASES SUBMITTED**

CR-21-82. Jeremy Andrew Avery v. State of Arkansas, from Garland County Circuit Court.

CR-21-593. Marilyn Dumond v. State of Arkansas, from Grant County Circuit Court.

CR-21-597. Jamal Golatt v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-21-602. Michael McCormick v. State of Arkansas, from Polk County Circuit Court.

CR-21-613. William Earl Kelleybrew, Jr. v. State of Arkansas, from Faulkner County Circuit Court.

CV-20-251. Larry Hamilton v. Bank of the Ozarks; Ellen B. Brantley; and Susan Cossey, from Pulaski County Circuit Court, Fifteenth Division.

CV-21-208. Linda Bolding v. Arkansas Public Employees Retirement System; Arkansas Public Employees Retirement System Board; Candace Franks, in Her Official and Individual Capacity; Larry Walther, in His Official and Individual Capacity; David Hudson, in His Official and Individual Capacity; Steve Faris, in His Official and Individual Capacity; Daryl Bassett, in His Official and Individual Capacity; Gary Carnahan, in His Official and Individual Capacity; Joe Hurst, in His Official and Individual Capacity; Andrea Lea, in Her Official and Individual Capacity; Dennis Milligan, in His Official and Individual Capacity; and Duncan Baird, in His Official and Individual Capacity, from Pulaski County Circuit Court, Fourth Division.

CV-21-245. Mandy James v. Georges, Inc., from Washington County Circuit Court.

CV-21-256. Jacqueline Hawkins v. Monte Willis for Snow Cemetery Association; Pam Emerson; Justin Villines; Monte Willis; Bill Willis; and Joy Polus, from Newton County Circuit Court.

CV-21-268. Township Builders, Inc. v. City of Gravette, Arkansas; and Employers Mutual Casualty Company, from Pulaski County Circuit Court, Eleventh Division.

CV-21-308. (In re Guardianship of Samuel Richard Gill, an Incapacitated Person) Marsha Dodson Gill v. Darryl Sullivan, from Stone County Circuit Court.

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#### CASES SUBMITTED

CV-21-401. Preston Allen v. Staffmark Investments, LLC; ACE American Insurance Company; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-21-410. Sharon Baker v. Kevin Baker, Nana Cranford, Doug Baker, and David Baker, from Hot Spring County Circuit Court.

CV-21-431. James Harvey v. Stephen Heim, M.D.; John Does 1–25 Collectively; and Jane Does 1–25 Individually and Collectively, from Sebastian County Circuit Court, Fort Smith District.

CV-21-480. White County Medical Center and Action Claims Administrators v. Meghan Johnson, from the Arkansas Workers' Compensation Commission.

CV-21-567. Brandon Birdsong v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

CV-21-609. Jordan Lemon v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

CV-21-622. Amber Raynor v. Arkansas Department of Human Services and Minor Child, from White County Circuit Court.

CV-21-625. Leah Phillips v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court.

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

E-21-440. Linda Green v. Director et al.

E-21-450. Jeri Small v. Director et al.

E-21-476. Charles Schock v. Director et al.

E-21-516. Elizabeth Young v. Director et al.

E-21-517. Elizabeth Young v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>