

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MAY 18, 2022

BRANDON HARRISON, CHIEF JUDGE:

[CV-21-531](#). LeRaye Atwood v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Affirmed; motion to withdraw granted. Viriden and Vaught, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-21-258](#). Chance Combs and Preston Long v. Elite Title Company, Inc., from Washington County Circuit Court. Affirmed. Klappenbach and Brown, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-21-306](#). Todd Hall v. State of Arkansas, from Benton County Circuit Court. Affirmed. Klappenbach and Hixson, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CV-21-417](#). Rebecca Nichols v. James Swindoll and Chuck Gibson, from Pulaski County Circuit Court, Fifth Division. Affirmed. Abramson and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-21-429](#). David Ray Parret v. State of Arkansas, from Washington County Circuit Court. Affirmed. Whiteaker and Hixson, JJ., agree.

[CV-21-360](#). Kyu Hwan Hwang v. Crystal Shauntae Northcutt, from Mississippi County Circuit Court, Osceola District. Affirmed. Harrison, C.J., and Abramson, J., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CR-21-462](#). Ryan Warren v. State of Arkansas, from Boone County Circuit Court. Affirmed. Gladwin and Murphy, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-21-545](#). Stephanie Hoy v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed; motion to withdraw granted. Gruber and Hixson, JJ., agree.

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LARRY D. VAUGHT, JUDGE:

[CR-21-452](#). George Burns v. State of Arkansas, from Little River County Circuit Court. Appeal dismissed. Harrison, C.J., and Virden, J., agree.

KENNETH S. HIXSON, JUDGE:

[CV-20-77](#). Camden Progressive Eldercare Services, Inc., d/b/a Ouachita Nursing and Rehabilitation Center v. Shelia Whitney, as Personal Representative of the Estate of Lillie Whitney and on Behalf of the Wrongful Death Beneficiaries of Lillie Whitney, from Ouachita County Circuit Court. Reversed and remanded. Gruber, J., agrees. Whiteaker, J., concurs.

MIKE MURPHY, JUDGE:

[CV-19-774](#). Reuben Eldridge and Sandra Eldridge v. Jerry Waugh, from Independence County Circuit Court. Dismissed without prejudice. Gladwin and Barrett, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-21-428](#). Crystal Hutton v. Arkansas Department of Human Services and Minor Child, from Lawrence County Circuit Court. Affirmed. Abramson and Klappenbach, 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-21-365. William Spencer v. Director et al.

E-21-367. Marquisha Jackson v. Director et al.

E-21-371. Charles Lott v. Director et al.

E-21-383. Donna Ermann v. Director et al.

E-21-414. Latonya White-Jones v. Director et al.

E-21-417. Takesha Johnson v. Director et al.

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- E-21-423. Theo Skipper v. Director et al.
- E-21-429. Jonathan Mitchell v. Director et al.
- E-21-431. Tammie Pearrow v. Director et al.
- E-21-534. Teresa Henry v. Director et al.
- E-21-591. Nikiaa Warren v. Director et al.
- E-21-650. Phyllis Boone v. Director et al.
- E-21-663. Eric Withers, Sr. v. Director et al.
- E-21-678. Mary Woodard v. Director et al.
- E-21-699. Kayla Simbler v. Director et al.
- E-21-723. Martrice Grayson v. Director et al.
- E-21-745. Rodney Wade v. Director et al.
- E-21-746. Sharon Bailey v. Director et al.
- E-21-754. Michelle Rosenbaum v. Director et al.
- E-21-764. Stacie Spickard v. Director et al.
- E-21-777. Ashanta Dunlap v. Director et al.
- E-21-788. Willie Robinson, Jr. v. Director et al.
- E-21-803. Monica Litzsey v. Director et al.
- E-21-805. Monica Litzsey v. Director et al.

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PER CURIAM ORDERS

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 is granted. Record deemed supplemented.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to file a nonconforming brief is denied. Appellant is granted thirty days to file a conforming brief pursuant to Arkansas Supreme Court Rule 4-7. Appellant's brief is due June 17, 2022.

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 is denied.

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 is granted.

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 is granted. Attorney Jonathan B. Huber is referred to the Arkansas Supreme Court Committee on Professional Conduct.

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 is granted. Appellant's brief is due in forty-five days (July 2, 2022).

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 is granted. Vaught, J., not participating.

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. Appellant's motion to remand to settle the record is granted. Supplemental record is due in fifteen days (June 2, 2022). Request to say briefing schedule is denied. Gruber, J., not participating.

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PER CURIAM ORDERS

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; 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 is granted. Murphy, J., not participating.

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; 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. Motion to determine appellate jurisdiction and, if appropriate, to remand for entry of a final order is passed until the case is submitted. Murphy, J., not participating.

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 is denied.

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 is granted.

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 is denied.

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 is granted.

CV-22-295. Goddard Investment Group, LLC v. Aalfs Manufacturing, Inc., from Polk County Circuit Court. Appellant's motion to stay April 2022 orders pending appeal is denied.

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PER CURIAM ORDERS

E-21-365. William Spencer v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-367. Marquisha Jackson v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-371. Charles Lott v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-383. Donna Ermann v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-414. Latonya White-Jones v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-417. Takesha Johnson v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-423. Theo Skipper v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-429. Jonathan Mitchell v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-431. Tammie Pearrow v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-534. Teresa Henry v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-591. Nikiaa Warren v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-650. Phyllis Boone v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

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PER CURIAM ORDERS

E-21-663. Eric Withers, Sr. v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-678. Mary Woodard v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-699. Kayla Simbler v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-723. Martrice Grayson v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-745. Rodney Wade v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-746. Sharon Bailey v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-754. Michelle Rosenbaum v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-764. Stacie Spickard v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-777. Ashanta Dunlap v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-788. Willie Robinson, Jr. v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

E-21-803. Monica Litzsey v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand is denied.

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PROCEEDINGS OF MAY 18, 2022

MOTIONS SUBMITTED

CR-21-492. Kenneth Ray Light v. State of Arkansas, from Chicot County Circuit Court. Appellee's motion to dismiss.

CR-21-502. Jeffrey Armor v. State of Arkansas, from Boone County Circuit Court. Motion of Tara Schmutzler for attorney's fees.

CR-21-519. Harold Truax v. State of Arkansas, from Ouachita County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-22-286. Michael David Bolen v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to substitute counsel.

CR-22-291. James Ricks, Jr. v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's pro se motion for belated appeal.

CV-21-276. David A. Couch, PLLC v. Grayson and Grayson, P.A., from Cleburne County Circuit Court. Appellant's motion to consolidate record with record from previous appeal.

CV-21-276. David A. Couch, PLLC v. Grayson and Grayson, P.A., from Cleburne County Circuit Court. Joint motion to include earlier records in appeal.

CV-21-389. Nelda Coleman and Charles Coleman (Deceased) v. Harmon Gareth Tobler, M.D.; Richard Betzold, M.D.; and BXS Insurance, Inc., from Pulaski County Circuit Court, Sixteenth Division. Appellant's pro se motion for rule on the clerk.

CV-22-48. Bobbie Moore v. Mena Regional Health Systems and Risk Management Resources, from the Arkansas Workers' Compensation Commission. Appellant's motion to dismiss with prejudice.

CV-22-106. Madiha Shahid v. Asif Masood, from Pulaski County Circuit Court, Fifteenth Division. Appellant's motion for remand or for dismissal without prejudice, or alternative motion for extension of brief time.

CV-22-199. Ron Pruitt v. Diane Barclay, from White County Circuit Court. Appellant's motion to consolidate records.

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MOTIONS SUBMITTED

CV-22-200. Aslyn Smith v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Stipulation by parties to file corrected brief.

CV-22-261. Preston Grumbles v. Conway Regional Medical Center, Inc.; Continental Casualty Company; Nabholz Construction Corporation; and John Does 1–5, from Faulkner County Circuit Court. Appellant’s motion to supplement and correct record.

CV-22-274. Al-Aayfee Abdo Yah Ya v. City of El Dorado, from Union County Circuit Court. Appellant’s motion for rule on clerk.

CV-22-280. Kristen J. Simmons and James M. Simmons v. Tracey L. Burris, from Franklin County Circuit Court, Northern District. Appellant’s motion to consolidate appeal.

E-22-227. Sheena Frazier v. Director et al., from the Arkansas Board of Review. Pro se motion to file belated appeal.

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CASES SUBMITTED

CR-20-397. Dale C. Bartlett v. State of Arkansas, from Monroe County Circuit Court.

CR-21-335. Kaelon Duwan Presley v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division.

CR-21-548. Dewayne Tilmon v. State of Arkansas, from Garland County Circuit Court.

CR-21-553. P.R. v. State of Arkansas, from Garland County Circuit Court.

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

CV-20-12. Action, Inc. v. McQueeney Group, Inc.; and LG Electronics U.S.A., Inc., from Pulaski County Circuit Court, Seventeenth Division.

CV-21-203. Ashok Thakar v. Jagruti Thakar, from Hempstead County Circuit Court.

CV-21-290. Wesley York v. GALR, LLC, d/b/a/ The Summit at Velvet Ridge; and Arnold-Grounds Apartment Management & Affordable Housing Specialists, LLC, from Pulaski County Circuit Court, Eleventh Division.

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.

CV-21-499. Lyndsay Bell v. Zachary M. Bell, from Pulaski County Circuit Court, Fifteenth Division.

CV-21-611. Michael Bean v. Reynolds Consumer Products, Sedgwick Claims Management, and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-21-612. Kenneth Steward and Lydia Steward v. Arkansas Department of Human Services and Minor Children, from Benton County Circuit Court.

CV-21-631. Andrea Hodge v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court.

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PROCEEDINGS OF MAY 18, 2022

CASES SUBMITTED

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

E-21-407. Barry Fowler v. Director et al.

E-21-408. Kenneth Quarles v. Director et al.

E-21-409. Kariem Muhammad v. Director et al.

E-21-410. Kristin Pestel v. Director et al.

E-21-411. Amanda Billings v. Director et al.

E-21-412. Dickie Wilson, Jr. v. Director et al.

E-21-413. Stephanie Dority v. Director et al.

E-21-415. Michael Dewey v. Director et al.

E-21-416. Michael Dewey v. Director et al.

E-21-418. Mary Haynie v. Director et al.

E-21-419. Kimberly Snowden v. Director et al.

E-21-420. Kyle Flanagan v. Director et al.