

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

RAYMOND R. ABRAMSON, JUDGE:

[CV-20-312](#). Robbie R. Marley, Debora L. Johnson, and Elizabeth A. Ruble v. Rodney H. Ghan, P.A., from Washington County Circuit Court. Affirmed. Gladwin and Vaught, JJ., agree.

BART F. VIRDEN, JUDGE:

[CV-21-543](#). The Evangelical Lutheran Good Samaritan Society v. Tara Rowland, from the Arkansas Workers' Compensation Commission. Affirmed on direct appeal; affirmed on cross-appeal. Gruber and Brown, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-21-472](#). David Frazier v. Amber Frazier (now Leister), from Washington County Circuit Court. Reversed and remanded. Abramson and Vaught, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CV-21-468](#). Deborah Johnson, Individually, and as Representative of the Estate of Samuel Goodman, Deceased v. Universal Health Services, Inc.; UHS of Delaware, Inc.; UHS of Benton, LLC, f/k/a UHS of Benton, Inc., d/b/a Rivendell Behavioral Health Services of Arkansas; and Dr. David Streett, from Pulaski County Circuit Court, Fifth Division. Affirmed. Barrett and Hixson, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-21-235](#). (In the Matter of the Guardianship of A.P.G., a Minor) Sandra Andraca v. Patricia Tice, from Pope County Circuit Court. Reversed and remanded. Virden and Brown, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-21-620](#). Judrika Houston and Chrystal Martin v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Klappenbach and Hixson, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

PHILLIP T. WHITEAKER, JUDGE:

[CV-21-374](#). Courtyard Rehabilitation and Health Center, LLC; SA Eldercare; JEJ Investments, LLC; Ross Ponthie; and Mark Thompson v. Estate of Gusta Tice, Deceased; and Andrew McQuerry, Special Administrator, from Union County Circuit Court. Affirmed. Harrison, C.J., and Murphy, J., agree.

LARRY D. VAUGHT, JUDGE:

[CR-21-626](#). Santiago Vasquez v. State of Arkansas, from Greene County Circuit Court. Reversed and remanded. Abramson and Gladwin, JJ., agree.

MIKE MUPRHY, JUDGE:

[CR-21-595](#). Flando Montgomery v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Harrison, C.J., and Whiteaker, J., agree.

[CV-22-89](#). Angel Morphey v. Arkansas Department of Human Services and Minor Children, from Scott County Circuit Court. Affirmed. Harrison, C.J., and Whiteaker, J., agree.

WAYMOND M. BROWN, JUDGE:

[CV-22-52](#). Michelle Debiasse and Mark Debiasse v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Affirmed. Virden and Gruber, 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-21-490. Christina Roberts v. Director et al.

E-21-491. Christina Roberts v. Director et al.

E-21-492. Christina Roberts v. Director et al.

E-21-494. Zachary Clark v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

- E-21-495. Jeremy Varnell v. Director et al.
- E-21-496. John Morkavich v. Director et al.
- E-21-497. Jimmy Turner v. Director et al.
- E-21-498. Willie Armstrong v. Director et al.
- E-21-499. Ruthie Childs v. Director et al.
- E-21-502. Mary Butler v. Director et al.
- E-21-503. Jaeloyn McDaniel v. Director et al.
- E-21-504. Victor Rosillo v. Director et al.
- E-21-505. Navashia Akins v. Director et al.
- E-21-506. Pamela Reed v. Director et al.
- E-21-507. Myrtis Curtis v. Director et al.
- E-21-508. Marilyn Shaw v. Director et al.
- E-21-509. Yanira Cortez Martinez v. Director et al.
- E-21-510. Anna Cagle v. Director et al.
- E-21-511. Melanie Madkin v. Director et al.
- E-21-512. Patricia Norman v. Director et al.
- E-21-513. Priscilla Jones v. Director et al.
- E-21-514. Chelsea Barron v. Director et al.
- E-21-515. David Austin v. Director et al.
- E-21-518. Brandon Pack v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

PER CURIAM ORDERS

REHEARING GRANTED: Petition for rehearing was granted today in the following case.

[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. Whiteaker, Vaught, Murphy, and Brown, JJ., agree. Virden, J., concurs in part and dissents in part. See **substituted opinion** on grant of rehearing.

CR-22-99. Luther Shaw v. State of Arkansas, from Garland County Circuit Court. Appellee’s motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334.

CR-22-126. David Kelley-Lucas v. State of Arkansas, from Benton County Circuit Court. Appellee’s motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334.

CR-22-224. Donald Thatcher v. State of Arkansas, from Benton County Circuit Court. Petition of Joseph Williams to withdraw as counsel is granted.

CR-22-278. Jimmy Ted Standridge v. State of Arkansas, from Miller County Circuit Court. Appellee’s motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334. Barrett, J., not participating.

CR-22-327. Gary Don Murphy v. State of Arkansas, from Drew County Circuit Court. Appellee’s motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

PER CURIAM ORDERS

CR-22-341. Nahaman Castillo v. State of Arkansas, from Conway County Circuit Court. Appellee's motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334. Virden, J., not participating.

CR-22-392. Charles Greeno v. State of Arkansas, from Hot Spring County Circuit Court. Appellee's motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334.

CR-22-402. Evan Columbus Anderson v. State of Arkansas, from Benton County Circuit Court. Appellee's motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334.

CR-22-458. Jiggs Dean Compton v. State of Arkansas, from Newton County Circuit Court. Appellee's motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334.

CR-22-489. Keonni Moehgenit Conway v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date, *Crain v. State*, 2022 Ark. App. 334.

[CR-22-505](#). Larry Wilson Crain v. State of Arkansas, from Bradley County Circuit Court. Appellee's motion to preserve anonymity of a juvenile pursuant to Ark. Sup. Ct. R. 6-3(a). Motion granted in part; denied in part and remanded with instructions. See **per curiam** this date.

CR-22-516. Joseph Chapman v. State of Arkansas, from Polk County Circuit Court. Appellant's motion for belated appeal is granted. Motion for belated appeal also treated as a motion to substitute counsel and granted. Motion to stay of briefing schedule is granted. See *Davis v. State*, 2016 Ark. 366.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

PER CURIAM ORDERS

CR-22-537. Jason Ashley Ray v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion requesting this court relieve the Sixth Judicial District Public Defender's Office as defendant Ray's appellate counsel and requesting this court substitute William O. "Bill" James, Jr., Attorney at Law, to represent defendant Ray on appeal is granted. William O. "Bill" James, Jr., is substituted as counsel for the appellant.

[CV-22-315](#). Kevin Cheri v. Laura Cheri, from Boone County Circuit Court. Appellant's motion to file trial court record under seal is denied with instructions. See **per curiam** this date. Abramson, J., not participating.

CV-22-371 Darrell Smith, Jr., Successor Trustee of the Smith Family Trust Dated September 22, 2017; and Cole Smith, Executor of the Estate of Darrell Smith, Sr., Deceased v. Terry Orsbun and Christine Orsbun, from Crawford County Circuit Court. Appellants' motion to lodge substitute supplemental record is granted.

CV-22-393. Min Jeong Kim v. Love's Travel Stop Center and Crawford County Sheriff's Department, from Crawford County Circuit Court. Appellant's pro se motions to file a trial; to notify; and informal brief are denied.

CV-22-393. Min Jeong Kim v. Love's Travel Stop Center and Crawford County Sheriff's Department, from Crawford County Circuit Court. Appellees' motion to dismiss appeal is granted. Appeal dismissed.

CV-22-451. Byron D. Watkins v. L.A. Darling Co., LLC; Travelers Ins. Co.; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Appellant's pro se motion to introduce photographs; pro se motion to disregard the Arkansas Workers' Compensation Commission opinion; pro se motion to introduce new documents; and pro se motion to have appellant's trust fund adjudicated are denied. Harrison, C.J., not participating.

CV-22-522. (In the Matter of the Guardianship of the Person and Estate of A.T. and K.S., Minors) Terri Simmons v. Bryan Steele, from Yell County Circuit Court, Northern District. Appellant's petition for certiorari to complete the record and to stay briefing schedule is granted.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

PER CURIAM ORDERS

CV-22-529. Larry B. Jackson, Jr. v. Bass Commercial Concrete, LLC, from Pulaski County Circuit Court, Eleventh Division. Appellant's pro se petition for leave to proceed in forma pauperis. Appeal dismissed.

CV-22-541. In the Matter of Patty Sue Edgecomb, from Pulaski County Circuit Court, Fourteenth Division. Appellant's pro se petition for leave to proceed in forma pauperis is denied without prejudice.

E-22-456. Bertha Harper v. Director et al., from the Arkansas Board of Review. Petitioner's motion to file belated appeal is denied.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

MOTIONS SUBMITTED

CR-22-286. Michael David Bolen v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to extend briefing schedule due to medical unavailability of appellant's counsel.

CR-22-346. William J. Boswell v. State of Arkansas, from Miller County Circuit Court. Appellee's motion to preserve anonymity of juvenile victims pursuant to Ark. Sup. Ct. R. 6-3(a).

CR-22-370. Charley Morris v. State of Arkansas, from Crawford County Circuit Court. Appellant's motion for remand for circuit clerk to supplement the electronic appellate record and motion for stay of time to file appellant's brief.

CR-22-424. Douglas Eugene Causey v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's pro se motion for appointment of counsel.

CR-22-548. Robert Penny v. State of Arkansas, from Baxter County Circuit Court. Appellant's pro se motion for belated appeal.

CV-19-764. Ronald E. Dana and Linda D. Dana v. Diamante Members Club, Inc., from Saline County Circuit Court. Appellants' notice of suggestion of death.

CV-22-125. Jade Property Holdings, LLC; Jonathan J. Dunkley; Jacquelyn Casting Dunkley; Bellatori, LLC; Bill's Fence Company, Inc.; Lewis Jones d/b/a Lewis Jones Masonry; and Tenants of 1104 East Race, Searcy, Arkansas v. First Service Bank, from White County Circuit Court. Appellants' motion to confirm original deadline for brief filing, or in the alternative, motion to extend time to file appellants' brief.

CV-22-270. (In the Matter of the Estate of Adolph Johnson, Deceased) Stephanie Johnson v. Felecia Parker-Green, from Pulaski County Circuit Court, Thirteenth Division. Appellee's pro se motion for belated extension of time to answer.

CV-22-426. (In the Matter of the Adoption of M.N.F. and A.M.F., Minors) Matthew Forrest v. Buck Fleming, from Pope County Circuit Court. Motion of Aundrea Stone Hanna to withdraw as counsel for the appellee.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

CASES SUBMITTED

CR-21-427. Robert Jeffries v. State of Arkansas, from Benton County Circuit Court.

CR-21-439. Charles Stepp v. State of Arkansas, from Faulkner County Circuit Court.

CR-21-486. Gary Chambers v. State of Arkansas, from Clark County Circuit Court.

CR-22-66. Shawn Harness v. State of Arkansas, from Boone County Circuit Court.

CV-20-317. Helena Agri-Enterprises, LLC, f/k/a Helena Chemical Company v. Simmons Bank; Walter Keith Lockley; Walter Keith Lockley, Jr.; Walter Lockley Partnership; Lockley & Sons, Inc.; Walter Lockley & Sons; G.L. Morris Farms Limited Partnership; Wilson Family Limited Partnership; Deere & Company; Farm Credit Services of America, PCA; Greenway Equipment, Inc.; John Doe Defendants No. 1–10; and Jane Doe Defendants No. 1–10, from Cross County Circuit Court.

CV-20-318. Farm Credit Services of America, PCA v. Simmons Bank; Walter Keith Lockley; Walter Keith Lockley, Jr.; Walter Lockley Partnership; Lockley & Sons, Inc.; Walter Lockley & Sons; G.L. Morris Farms Limited Partnership; Wilson Family Limited Partnership; Deere & Company; Helena Agri-Enterprises, LLC, f/k/a Helena Chemical Company; Greenway Equipment, Inc.; John Doe Defendants No. 1–10; and Jane Doe Defendants No. 1–10, from Cross County Circuit Court.

CV-20-528. Paul Reesnes v. Bridget Reesnes, from White County Circuit Court.

CV-21-51. Darrell James Brown, M.D. v. Crossett Health Foundation d/b/a Ashley County Medical Center, from Ashley County Circuit Court.

CV-22-95. Ryan Franklin v. Arkansas Department of Human Services and Minor Child, from Logan County Circuit Court, Southern District.

CV-22-119. Brandy Huggins v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

CV-22-163. Sheila King v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 14, 2022

CASES SUBMITTED

CV-22-167. Shavonna Ford v. Arkansas Department of Human Services and Minor Children, from Van Buren County Circuit Court.

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

E-21-462. Toris Lambert v. Director et al.

E-21-519. Clyde Diffie II v. Director et al.

E-21-520. Omar Kassees v. Director et al.

E-21-521. Blake Cunningham v. Director et al.

E-21-522. William Godfrey v. Director et al.

E-21-523. Lance Jewell v. Director et al.

E-21-524. Mary Richardson v. Director et al.

E-21-525. Mary Richardson v. Director et al.

E-21-526. Brandon Barnett v. Director et al.

E-21-527. Christopher Graham v. Director et al.

E-21-528. Johnny McGowan v. Director et al.

E-21-529. Margaret Frombough v. Director et al.

E-21-530. Calvin Young v. Director et al.

E-21-531. Eppie Ward v. Director et al.

E-21-532. Jody Nakedhead v. Director et al.

E-21-533. Mary Shepherd v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF SEPTEMBER 14, 2022

CASES SUBMITTED

- E-21-535. Lakita Strawder v. Director et al.
- E-21-536. Constance Hurd-Dillard v. Director et al.
- E-21-537. Tiffany Thomas v. Director et al.
- E-21-538. TaLeesa Reed v. Director et al.
- E-21-539. Patricia Harris v. Director et al.
- E-21-540. Joseph Wright v. Director et al.
- E-21-541. Laura Lyon v. Director et al.
- E-21-542. Sydnee Tolbert v. Director et al.
- E-21-543. Aaron McClure v. Director et al.
- E-21-544. Josephine Pride v. Director et al.
- E-21-545. Hubert Cash v. Director et al.
- E-21-546. Hubert Cash v. Director et al.
- E-21-549. Nelson Morris v. Director et al.
- E-21-550. Syreeta Dawkins v. Director et al.
- E-21-551. Syreeta Dawkins v. Director et al.
- E-21-552. Pamela Shepherd v. Director et al.
- E-21-553. Dessa Henry v. Director et al.
- E-21-554. Rebecca Catlett v. Director et al.
- E-21-555. Rebecca Catlett v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF SEPTEMBER 14, 2022

CASES SUBMITTED

E-21-556. Elizabeth Hegwood v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>