

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 5, 2022

BRANDON J. HARRISON, CHIEF JUDGE:

[CR-22-42](#). Joseph Connor v. State of Arkansas, from Grant County Circuit Court. Affirmed. Abramson and Hixson, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-22-131](#). David Dale Jewell, Sr. v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Harrison, C.J., and Hixson, J., agree.

[CV-22-169](#). Felicia Love v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Affirmed. Harrison, C.J., and Hixson, J., agree.

BART F. VIRDEN, JUDGE:

[CV-19-761](#). Robert S. Young v. Roxanne D. Blake; Roxanne D. Blake, P.A.; George H. Niblock; George H. Niblock, Ltd.; and the Niblock Firm, PLC, from Washington County Circuit Court. Affirmed in part and reversed and remanded in part on direct appeal; affirmed on cross-appeal. Klappenbach and Whiteaker, JJ., agree.

[CV-22-200](#). Aslyn Smith v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Klappenbach and Whiteaker, JJ., agree.

[CV-22-203](#). Aslyn Smith v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed; motion to withdraw granted. Klappenbach and Whiteaker, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-21-383](#). Noah Douglas Wright v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed. Gruber and Barrett, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-21-501](#). Harold Mathew Atherton v. State of Arkansas, from Hot Spring County Circuit Court. Affirmed. Virden and Whiteaker, JJ., agree.

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N. MARK KLAPPENBACH, JUDGE: (continued)

[CV-21-586](#). Jacob Wilson v. Sammie Cribbs, from Boone County Circuit Court. Affirmed. Virden and Whiteaker, JJ., agree.

RITA W. GRUBER, JUDGE:

[E-21-460](#). Silver Leigh Cely v. Director, Division of Workforce Services; and Greene County, from the Arkansas Board of Review. Affirmed. Gladwin and Barrett, JJ., agree.

[E-21-461](#). Silver Leigh Cely v. Director, Division of Workforce Services; and Greene County, from the Arkansas Board of Review. Affirmed. Gladwin and Barrett, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-21-372](#). Christina Morris v. Chad Morris, from Benton County Circuit Court. Affirmed. Gladwin and Gruber, JJ., agree.

[CV-22-177](#). Kenneth Stroup v. Arkansas Department of Human Services and Minor Children, from Logan County Circuit Court, Southern District. Affirmed; motion to withdraw granted. Gladwin and Gruber, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-21-594](#). Daroyce Rodgers v. State of Arkansas, from Miller County Circuit Court. Affirmed. Virden and Klappenbach, JJ., agree.

[CV-21-469](#). Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer Services v. Prescott Automotive, LLC, from Nevada County Circuit Court. Reversed and remanded. Virden and Klappenbach, JJ., agree.

[CV-22-95](#). Ryan Franklin v. Arkansas Department of Human Services and Minor Children, from Logan County Circuit Court, Southern District. Affirmed. Virden and Klappenbach, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-22-12](#). Joseph Baker v. State of Arkansas, from Miller County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

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LARRY D. VAUGHT, JUDGE: (continued)

[CR-22-15](#). Joshua Baker v. State of Arkansas, from Miller County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-21-396](#). Norma Hudson and Hudson Revocable Trust v. Farm Bureau Mutual Insurance Company of Arkansas, Inc., from Benton County Circuit Court. Affirmed. Harrison, C.J., and Abramson, J., agree.

[CV-21-397](#). Hudson Revocable Trust v. Dewayne Evans, Mark White, and Billy Taylor, from Benton County Circuit Court. Appeal dismissed. Harrison, C.J., and Abramson, J., agree.

MIKE MUPRHY, JUDGE:

[CV-21-298](#). First Arkansas Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Vaught and Brown, JJ., agree.

[CV-21-300](#). Bobby Cox Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Vaught and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-21-301](#). First Arkansas Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Vaught and Murphy, JJ., agree.

[CV-21-302](#). First Arkansas Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Vaught and Murphy, JJ., agree.

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PER CURIAM ORDERS

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

[CV-21-417](#). Rebecca Nichols v. James Swindoll and Chuck Gibson, from Pulaski County Circuit Court, Fifth Division. See **supplemental opinion** on grant of rehearing. Abramson, Whiteaker, and Brown, JJ., agree. [Harrison, C.J.](#), and [Hixson, J.](#), dissent. Gruber, J., not participating.

CR-21-196. Billy Hoover v. State of Arkansas, from Crawford County Circuit Court. Motion of Robert M. “Robby” Golden for award of attorney’s fees is granted. Allowed \$2250.00.

[CR-22-3](#). Sterling D. Woolford v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant’s motion requesting that this court enforce its issuance of a writ of certiorari to complete the record on appeal. Motion granted; show-cause order issued. See **per curiam** this date. Gruber, J., not participating.

CR-22-263. Jeremy Durkin v. State of Arkansas, from Crawford County Circuit Court. Motion of Christopher Tolleson for entry of appearance as co-counsel on behalf of the appellant is granted.

CR-22-501. Tyra McKellar v. State of Arkansas, from Poinsett County Circuit Court. Appellant’s motion for a belated brief and to extend time for filing brief is granted.

CR-22-589. Bradley Rogers v. State of Arkansas, from Pope County Circuit Court. Motion of James Law Firm to be relieved as counsel is denied without prejudice.

CV-21-308. (In the Matter of the Guardianship of Samuel Richard Gill) Marsha Dodson Gill v. Darryl Sullivan, from Stone County Circuit Court. Appellee’s motion for attorney fees is denied.

CV-21-480. White County Medical Center, LLC; and Action Claims Administrators v. Meghan Johnson, from the Arkansas Workers’ Compensation Commission. Appellee’s motion for attorney’s fees is granted. Allowed \$1000.00.

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PER CURIAM ORDERS

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 unopposed motion to expand word-count limitations is denied. Gladwin, J., not participating.

CV-22-304. (In the Matter of the Estate of James Waller Lyle, Deceased) Katherine Lyle Harbison v. Shirley Hitt, from Jackson County Circuit Court. Appellant’s motion to expand word count and for additional brief time. Motion to expand word count is denied. Request for additional brief time is granted. Abramson and Vaught, JJ., not participating.

CV-22-388. Kristian D. Nelson v. Richard F. Toll, Individually and as Trustee of the Richard F. Toll Irrevocable Trust, from Pulaski County Circuit Court, Fifth Division. Appellant’s pro se motion for writ of certiorari is denied. Gruber, J., not participating.

CV-22-416. (In the Matter of the Adoption of M.W.G., K.N.G., and M.D.G.) Michael Wayne Webb v. Amy Nicole Gregory and Odis Dean Gregory II, from Phillips County Circuit Court. Appellant’s motion for extension of time to comply with writ of certiorari. Granted fifteen days (October 20, 2022).

CV-22-441. Kenneth Ray Hedrick v. Kole Ferguson, Individually and as Next Friend of Kierra Ferguson and Kannon Ferguson; and Bobby Jo Pope, from Pope County Circuit Court. Appellees’ motion for substitution of counsel is granted. Abramson and Murphy, JJ., not participating.

CV-22-469. Clifford W. Christian and Karen D. Christian v. SWO Properties, Inc., from Boone County Circuit Court. Appellants’ emergency motion to stay execution of Copeland judgment and approve appeal/supersedeas bond is granted. Whiteaker and Brown, JJ., would deny.

CV-22-469. Clifford W. Christian and Karen D. Christian v. SWO Properties, Inc., from Boone County Circuit Court. Appellants’ notice and amended notice of filing of appeal bond are noted. Whiteaker and Brown, JJ., would deny.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-21-303. Arkansas County Bank, Dewitt, as Trustee Under the Last Will and Testament of Godfrey Thomas; Arkansas County Bank, Dewitt, as Trustee of the Godfrey Thomas Testamentary Trust; Godfrey Thomas Foundation, Inc.; Tate Pfaffenberger; Les Pfaffenberger; Turner Farms IV; Turner Farms Partnership; and Roger Turner v. Pin Oak Hunting Club, Inc., from Arkansas County Circuit Court, Southern District.

CR-21-420. Sasha Jolene Schreibvogel v. State of Arkansas, from Benton County Circuit Court. Motion of Robert M. “Robby” Golden for award of attorney’s fees.

CR-21-578. Pedro Velazquez v. State of Arkansas, from Yell County Circuit Court, Northern District. Motion of Gary W. Potts for costs and attorney’s fees.

CR-21-632. Calvin Stanley v. State of Arkansas, from Union County Circuit Court. Motion of Andrew W. Best for award of attorney’s fees.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant’s pro se motion on all clerk’s office now Rule 25, Rule 37.2(ii), Rule 37.2(iv).

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant’s pro se motion ineffective assistance of counsel against Arkansas Public Defender Commission.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant’s pro se motion on all clerk’s office now Federal Rules of Appellate Procedure, Rule 25, 28 USCA, Rule 25.A1.

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

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant’s pro se motion asking to file five tendered briefs.

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MOTIONS SUBMITTED

CR-22-286. Michael David Bolen v. State of Arkansas, from Jefferson County Circuit Court. Appellant's pro se motion for attorney Matthew McKay to be relieved as counsel.

CR-22-578. Sirome Jerrell Dorsey v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se petition requesting leave to file a belated appeal.

CR-22-587. Lamarius Curry v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion for rule on clerk.

CV-21-51. Darrell James Brown, M.D. v. Crossett Health Foundation d/b/a Ashley County Medical Center, from Ashley County Circuit Court. Appellant's motion under Ark. Sup. Ct. R. 5-3(b) for special leave to be granted to the clerk to immediately certify the court's opinion and to issue the mandate.

CV-21-51. Darrell James Brown, M.D. v. Crossett Health Foundation d/b/a Ashley County Medical Center, from Ashley County Circuit Court. Appellant's motion for leave to file reply.

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 petition for rehearing treated as a motion for reconsideration.

CV-22-440. David Hayes v. Larry Walther, In His Official Capacity as Secretary, Arkansas Department of Finance and Administration, from Benton County Circuit Court. Appellant's motion for extension of time to file brief.

CV-22-600. Jeremy Cook and Ronnie Hedge v. The Most Worshipful Grand Lodge, Free and Accepted Masons of the State of Arkansas, and its Masonic Jurisdiction (Grand Lodge); Carl E. Nelson; Robert L. Jackson; Boyd Freeman; Samuel D. Lattin; George K. Coffman (Deceased); Arnold G. Hodge; Charles H. Ferguson; Martin E. Warren; Billy Joe Holder; Bradley R. Phillips; George R. Franks, Jr.; and Chris Young, All in Their Individual Capacities and In Their Official Capacities as Office Holders and Members of The Grand Lodge; and John Does 1–25, from Pulaski County Circuit Court, Fifth Division. Appellants' motion for certiorari to complete the record.

E-22-340. LaTonya Smith v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to add evidence.

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MOTIONS SUBMITTED

E-22-361. Johnny Jenkins v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file new evidence.

E-22-520. Michael McCarter v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion for belated appeal.

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CASES SUBMITTED

CV-21-177. Arkansas Capital Corporation v. NOCF, LLC; and Brandon J. Salamone, from Pulaski County Circuit Court, Fifth Division. Orally argued.

CR-21-488. Macon Carter, Jr. v. State of Arkansas, from Phillips County Circuit Court.

CR-21-576. Travis W. Parks v. State of Arkansas, from Polk County Circuit Court.

CR-22-20. Jacorey Green v. State of Arkansas, from Clark County Circuit Court.

CR-22-21. Stacy Mitchell v. State of Arkansas, from Benton County Circuit Court.

CR-22-47. Benjamin Vestal v. State of Arkansas, from Faulkner County Circuit Court.

CR-22-64. Eric Lamonte Jackson v. State of Arkansas, from Lonoke County Circuit Court.

CR-22-80. Everett Miller v. State of Arkansas, from Miller County Circuit Court.

CR-22-90. Tyler Lamar McKisick v. State of Arkansas, from Garland County Circuit Court.

CR-22-104. Ashley S. Smith v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-22-107. Johnny Franklin v. State of Arkansas, from Crawford County Circuit Court.

CV-20-364. Morrand Enterprises, LLC v. Sachs/Haynes 503, LLC; and HCH Toyota, LLC, from Benton County Circuit Court.

CV-21-444. Kathryn Sue Evans v. Little Rock School District, from Pulaski County Circuit Court, Eleventh Division.

CV-21-475. John Williamson and Absolute Oilfield Services, Inc. v. Van Alan Hill and Nancy Hill, from Johnson County Circuit Court.

CV-21-483. Mark B. Chadick; Beverly Chadick; and Beverly Ann Chadick, Individually and as Trustee of the Beverly Ann Chadick Revocable Trust Created the 27th Day of March 2020 v. Daniel E. Walters, from Garland County Circuit Court.

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CASES SUBMITTED

CV-21-532. Sara (Gleghorn) Stormes v. Trey Eli Gleghorn, from Craighead County Circuit Court, Western District.

CV-21-560. Stephanie Stanfield v. Lloyd Dee Willis; Dr. Calvin A. Stanfield; and Lots 5 and 7, Block 4 of Barnes & Smith Addition, Garland County, Arkansas, from Garland County Circuit Court.

CV-22-6. Sylvia Tillery v. Alma School District; Arkansas School Boards Association; and Death and Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-22-17. Kelley L. Saunders (now Manning) v. Ryan E. Saunders, from Cleveland County Circuit Court.

CV-22-105. Natalie Edwards v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

CV-22-111. Bobbie Viele v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Tenth Division.

CV-22-237. Calvin Summers v. Arkansas Department of Human Services and Minor Child, from Marion County Circuit Court.

CV-22-256. Jessica Casey v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Tenth Division.

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

E-21-784. Gary Roach v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>