

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF OCTOBER 19, 2022**

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

[CV-21-508](#). Donald Banks v. Petro Banks, from Monroe County Circuit Court. Affirmed. Abramson and Hixson, JJ., agree.

**BART F. VIRDEN, JUDGE:**

[CR-22-68](#). Larry Matney v. State of Arkansas, from Poinsett County Circuit Court. Affirmed. Klappenbach and Whiteaker, JJ., agree.

[E-21-590](#). Paula Pendarvis v. Director, Division of Workforce Services, from the Arkansas Board of Review. Dismissed. Klappenbach and Whiteaker, JJ., agree.

**N. MARK KLAPPENBACH, JUDGE:**

[CV-21-123](#). Maggie Hall, Administratrix of the Estate of Brenda Dell Allbright, Deceased v. Gage's Powersports, Inc., from Boone County Circuit Court. Affirmed. Virden and Whiteaker, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CR-21-535](#). Joey Penix v. State of Arkansas, from Lawrence County Circuit Court. Affirmed. Gladwin and Barrett, JJ., agree.

**STEPHANIE POTTER BARRETT, JUDGE:**

[CV-21-571](#). (In the Matter of the adoption of Minor Child) Manuel Cruz Cervantez v. Carla Trejo Segovia and Edgar Ulises Ruiz Pacheco, from Washington County Circuit Court. Reversed and dismissed. Gladwin and Gruber, JJ., agree.

**PHILLIP T. WHITEAKER, JUDGE:**

[CV-21-435](#). Opal Robinson v. Quail Rivers Properties, LLC, from Phillips County Circuit Court. Reversed and remanded. Virden and Klappenbach, JJ., agree.

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**LARRY D. VAUGHT, JUDGE:**

[CV-22-217](#). Dianna Dejarnette v. Arkansas Department of Human Services, Minor Child 1, Minor Child 2, Minor Child 3, and Minor Child 4, from Drew County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

**KENNETH S. HIXSON, JUDGE:**

[CV-22-133](#). Ronna Day v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion granted. Harrison, C.J., and Abramson, J., 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-21-557. James Box v. Director et al.

E-21-558. Rebecca Cude v. Director et al.

E-21-559. Sunny Hobbs v. Director et al.

E-21-560. Susan Parks v. Director et al.

E-21-561. Melinda West v. Director et al.

E-21-562. Rosemary Lowery v. Director et al.

E-21-564. Chasity Ray v. Director et al.

E-21-565. Decara Allen v. Director et al.

E-21-566. Patricia Tomasiello v. Director et al.

E-21-567. Marlene Fulmer v. Director et al.

E-21-568. Kristin Hogue v. Director et al.

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- E-21-570. Patricia Elmore v. Director et al.
- E-21-571. Karla Golden v. Director et al.
- E-21-574. Ronnie Tucker v. Director et al.
- E-21-575. Cuong Pham v. Director et al.
- E-21-576. Amanda Fletcher v. Director et al.
- E-21-577. Glenda Thompson v. Director et al.
- E-21-578. Freddie Epperson v. Director et al.
- E-21-579. Sonja Baker v. Director et al.
- E-21-580. Sonja Baker v. Director et al.
- E-21-581. Naea Strong v. Director et al.
- E-21-584. Branden Barker v. Director et al.
- E-21-585. David Maddox v. Director et al.
- E-21-586. Scott Webb v. Director et al.
- E-21-588. Joyce Brooks v. Director et al.
- E-21-589. Bonisha Foster v. Director et al.
- E-21-592. Christopher Payne v. Director et al.
- E-21-593. Dean Clark v. Director et al.
- E-21-594. Elane Britt v. Director et al.
- E-21-595. Vanders Jenkins v. Director et al.
- E-21-596. Amy Hargis v. Director et al.

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E-21-597. Amy Hargis v. Director et al.

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**PER CURIAM ORDERS**

REHEARING DENIED: Petition for rehearing was denied today in the following case.

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. Murphy, J., not participating.

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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 is granted. Allowed \$1600.00.

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 is granted. Allowed \$2250.00.

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 is granted. Allowed \$2250.00.

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) is denied.

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 is denied.

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 is denied.

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 is denied.

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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 is denied.

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 is denied. Barrett, J., would grant.

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 is denied.

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

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 is denied. Gruber and Murphy, JJ., not participating.

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 is denied. Gruber and Murphy, JJ., not participating.

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 is treated as a motion for reconsideration and denied.

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 is denied. Gruber, Barrett, and Murphy, JJ., would grant.

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

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

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E-22-367. St. Francis House, Inc. v. Director et al., from the Arkansas Board Review. Appellant's motion for extension of time to file brief. Granted thirty days. Brown, J., would deny.

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

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**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CR-21-595. Flando Montgomery v. State of Arkansas, from Craighead County Circuit Court, Western District.

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.

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

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CR-21-254. Logan Morrison v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for leave to file substitute briefs and tender of those briefs.

CR-21-304. Aaron McKay v. State of Arkansas, from Benton County Circuit Court. Motion of Sonia A. Kezhaya and Matthew A. Kezhaya for attorney's fees.

CR-21-403. Cody Vessel v. State of Arkansas, from Garland County Circuit Court. Motion of Kaylyn Presley Turner for fees.

CR-21-471. Samuel T. McKaig v. State of Arkansas, from Garland County Circuit Court. Motion of Clinton Lancaster for attorney's fees.

CR-21-544. Jake Norwood v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney's fees.

CR-21-553. Minor Child v. State of Arkansas, from Garland County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses.

CR-21-566. Christopher M. Parker v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Dusti Standridge for attorney's fees and expenses.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion-all-1-denied access to courts.



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**MOTIONS SUBMITTED**

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for leave to file brief that does not conform to the procedure rules.

CR-22-291. James Ricks, Jr. v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's pro se motion for extension of time to file a brief.

CR-22-386. Minor Child v. State of Arkansas, from Pike County Circuit Court. Motion of Brett D. Watson for attorney's fees.

CR-22-548. Robert Dean Penny v. State of Arkansas, from Baxter County Circuit Court. Appellant's pro se motion for access to the record lodged.

CR-22-631. Douglas Langlois v. State of Arkansas, from Jefferson County Circuit Court. Appellant's petition for writ of certiorari.

CV-20-33. LaDonna Humphrey, Individually v. Absolute Pediatric Services, Inc., d/b/a Absolute Pediatric Therapy; and Anthony Christopher, from Benton County Circuit Court. Joint status report.

CV-21-590. Veronica Gamble v. Carol Gamble, from Pulaski County Circuit Court, Seventeenth Division. Appellant's pro se motion of notice to court of evidence.

CV-21-614. Richard Mays, Jr.; Mays, Byrd & Associates, P.A.; Derrick Stephens; D. Stephens Management & Consulting, LLC; and Olena "Lola" Korneevets v. Viva La Vegan Grocery, Inc., from Pulaski County Circuit Court, Sixth Division. Joint motion by appellants Richard Mays, Jr.; and Mays, Byrd & Associates, P.A., for an expansion of the word count limitation and additional brief time.

CV-22-150. (In the Matter of the Estate of Anna Belle Patterson, Deceased) LeAnne Carpenter and Shelley Benton v. Corey Patterson, from Prairie County Circuit Court, Northern District. Appellee's unopposed motion to consolidate records.

CV-22-372. Absolute Roofing & Construction, LLC; and Jim Burress v. Paradise Developments, LLC; Sentech Holdings, LLC; and Arkansas Commercial, LLC, from Pulaski County Circuit Court, Eleventh Division. Motion of separate appellee Paradise Developments, LLC, to file substituted brief.

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**MOTIONS SUBMITTED**

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 reconsideration.

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 to establish a briefing schedule.

CV-22-492. James A. Simpson, Jr. v. David McAfee General Contractors, Inc., from White County Circuit Court. Joint motion to remand for want of a final order and appellant's motion for extension of time.

CV-22-515. Arkansas Blue Cross Blue Shield v. Alan McClain, Insurance Commissioner; Freeway Surgery Center; Scott Schlesinger, M.D.; Fair Park Surgery Center; Centerview Surgery Center; South Arkansas Surgery Center; Advanced Ambulatory Surgery Center; Executive Park Surgery Center of Fort Smith; Gastroenterology and Surgery Center of Arkansas; Mountain Home Surgery Center; Harrison Surgery Center; Boozman-Hof Eye Center; Physician's Day a/k/a McFarland Eye Center; Spring Creek Surgery Center; Taylor Plastic Surgery; Surgery Center of Northeast Texas; Advanced Interventional Pain Management; Precision Surgical of Northwest Arkansas; Executive Surgery Center of Little Rock; Central Arkansas Surgery Center a/k/a Arkansas Spine and Pain; and Arkansas Center for Surgical Excellence, from Pulaski County Circuit Court, Fifth Division. Appellant's motion to enforce writ of certiorari and extend time.

CV-22-528. Southern Forestry and Wildlife, LLC v. James B. Feinman, from Pulaski County Circuit Court, Eleventh Division. Appellant's motion for disqualification of Brian G. Brooks as appellee's counsel.

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. Appellees' motion to dismiss appeal.

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**MOTIONS SUBMITTED**

CV-22-622. William Sanchez v. Glenn E. Weeks, from Benton County Circuit Court. Appellant's motion to consolidate records.

E-22-81. Paul F. Miller v. Director et al., from the Arkansas Board of Review. Appellee's motion to dismiss appeal.

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**CASES SUBMITTED**

CR-21-615. Jeremy Lewis v. State of Arkansas, from Clark County Circuit Court.

CR-22-159. Kevin Dale Brady v. State of Arkansas, from Greene County Circuit Court.

CR-22-178. Charles E. Smith v. State of Arkansas, from Hot Spring County Circuit Court.

CV-20-265. Donnell Bauer and Marilyn W. Bauer v. Jesse Lee Beamon, Jr., and Mary A. Beamon, Individually and as Trustees of the Jesse Lee Beamon Jr. and Mary A. Beamon Family Trust Dated October 13, 2015, from Crawford County Circuit Court.

CV-20-310. First National Bank of Izard County v. Old Republic National Title Insurance Company, from Izard County Circuit Court.

CV-21-312. Ralph Bradbury v. Continental Express, Inc.; Arkansas Trucking Services, Inc.; Edward Harvey; Bonnie Harvey; Marvin Jones; and John Does 1–5, from Pulaski County Circuit Court, Eleventh Division.

CV-21-323. Keith Dixon v. Holly Ann Dixon and Tyler Van Dyke, from Faulkner County Circuit Court.

CV-21-446. Ben Rush and Joanne Rush v. Lynne Davis Family Limited Partnership and Adannac Family Properties, LLC, from Jefferson County Circuit Court.

CV-21-529. Dan Baird v. Celina Baird (now Stelly), from White County Circuit Court.

CV-22-129. Anita Farfan v. Arkansas Department of Human Services and Minor Child, from Van Buren County Circuit Court.

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

E-21-598. Thomas Abbott v. Director et al.

E-21-599. Tamayra Pschier v. Director et al.

E-21-600. Romonica Henry v. Director et al.

E-21-601. Romonica Henry v. Director et al.

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**CASES SUBMITTED**

- E-21-604. Lisa Baker v. Director et al.
- E-21-605. Linda Holman v. Director et al.
- E-21-606. Linda Holman v. Director et al.
- E-21-607. Terry Burrow v. Director et al.
- E-21-608. Jeanette Pogue v. Director et al.
- E-21-609. Julia Fulbright v. Director et al.
- E-21-610. Sadagicous Owens v. Director et al.
- E-21-611. Sadagicous Owens v. Director et al.
- E-21-612. Sadagicous Owens v. Director et al.
- E-21-613. Alice Smith-Walker v. Director et al.
- E-21-614. Gary Hamblen, Sr. v. Director et al.
- E-21-615. Celecia Ganther v. Director et al.
- E-21-616. Leah Ruddell v. Director et al.
- E-21-617. Jennifer Brownfield v. Director et al.
- E-21-618. Daniella Montero v. Director et al.
- E-21-619. Daniella Montero v. Director et al.
- E-21-620. Keundre Joplin v. Director et al.
- E-21-621. Lynda Cook v. Director et al.
- E-21-622. Lynda Cook v. Director et al.

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**CASES SUBMITTED**

E-21-623. Lynda Cook v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>