

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF DECEMBER 7, 2022

ROBERT J. GLADWIN, JUDGE:

[CR-22-130](#). Kaylen Burks v. State of Arkansas, from Garland County Circuit Court. Affirmed. Abramson and Murphy, JJ., agree.

[CV-22-65](#). Ashley Atkins Edmonds v. Christopher Miller, from Ashley County Circuit Court. Affirmed. Abramson and Murphy, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CV-20-265](#). Donnell Bauer and Marilyn 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 13th October 2015; and the Jesse Lee Beamon, Jr. and Mary A. Beamon Family Trust Dated 13th October 2015, from Crawford County Circuit Court. Remanded. Abramson, Gladwin, Hixson, Murphy, and Brown, JJ., agree.

[CV-21-521](#). Sharon Marcum v. Robert Hodge, Special Administrator of the Estate of Nicholas Hendricks, from Pulaski County Circuit Court, Fourth Division. Affirmed. Abramson, Gladwin, and Brown, JJ., agree. Harrison, C.J., and Hixson, J., dissent.

[CV-22-265](#). Amanda Harris v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Affirmed; motion to withdraw granted. Gruber and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-21-563](#). Charity Graham v. Matthew Sexton, from Hot Spring County Circuit Court. Affirmed. Klappenbach and Brown, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-20-230](#). Keshia Gonzales, Individually and as Next Friend and Natural Guardian of Antonio Ross, a Minor v. Continental Casualty Company, as Liability Carrier for Arkansas Children's Hospital; Arkansas Children's Hospital; and Jerril Green, M.D., from Pulaski County Circuit Court, Sixth Division. Reversed and remanded in part; affirmed in part. Virden and Hixson, JJ., agree.

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KENNETH S. HIXSON, JUDGE:

[CR-22-251](#). Vickie Joyce Graham v. State of Arkansas, from Ashley County Circuit Court. Affirmed in part; reversed and dismissed in part. Virden and Barrett, JJ., agree.

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PER CURIAM ORDERS

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

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

CV-21-529. Dan Baird v. Celina Baird (now Stelly), from White County Circuit Court. Harrison, C.J., and Abramson, J., not participating.

CV-21-571. (In the Matter of the Adoption of Minor Child) Manuel Cruz Cervantez v. Carla Irene Trejo Segovia and Edgar Ulises Ruiz Pacheco, from Washington County Circuit Court. Murphy, J., not participating.

CR-21-486. Gary Chambers v. State of Arkansas, from Clark County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses is granted. Allowed \$2250.00.

CR-22-44. Toby Carter v. State of Arkansas, from Saline County Circuit Court. Motion of Grace Casteel for award of attorney's fees is granted. Allowed \$2250.00.

CR-22-161. Devion Spencer v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion for dismissal with prejudice is granted.

CR-22-161. Devion Spencer v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Motion of Jake Holmes for fees is granted. Allowed \$2000.00.

CR-22-161. Devion Spencer v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's status report and request for outstanding motions to be decided is noted.

CR-22-179. Antonio Holliman v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's pro se motion to file additional pro se points is denied. Virden, J., not participating.

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

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

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to file nonconforming brief "brief T, motion T, having trouble out law library and Warden and Major, VSM Supermax" is denied.

CR-22-291. James Ricks, Jr. v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's pro se motion to discard and remove certain pages from the motion to amend the record is denied.

CR-22-360. Quebec Solo Miya v. State of Arkansas, from Jackson County Circuit Court. Appellant's motion for leave to file a corrected brief is granted.

CR-22-654. Debert Morgan v. State of Arkansas, from Hot Spring County Circuit Court. Appellant's pro se motion for extension of time to file brief is granted.

CR-22-674. Coree McGaugh v. State of Arkansas, from Yell County Circuit Court, Northern District. Appellant's motion to substitute counsel is denied without prejudice.

CR-22-674. Coree McGaugh v. State of Arkansas, from Yell County Circuit Court, Northern District. Appellant's motion for rule on clerk is denied without prejudice.

CR-22-716. Lamiesha Toney v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion for rule on clerk is granted.

CR-22-723. Tevin Randle v. State of Arkansas, from Phillips County Circuit Court. Appellant's petition for writ of certiorari to complete the record, or, in the alternative, motion to remand to settle the record is granted. Klappenbach, J., not participating.

CV-21-31. Altice USA, Inc., d/b/a Suddenlink Communications v. Tina Johnson, from Clark County Circuit Court. Motion of Ginger Gooch to withdraw as counsel for the appellant is granted.

CV-21-32. Altice USA, Inc., d/b/a Suddenlink Communications v. Sandra Peterson, from Clark County Circuit Court. Motion of Ginger Gooch to withdraw as counsel for the appellant is granted.

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CV-21-33. Altice USA, Inc., d/b/a Suddenlink Communications v. Ronnie Francis, from Clark County Circuit Court. Motion of Ginger Gooch to withdraw as counsel for the appellant is granted.

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 for reconsideration, or in the alternative, renewed motion for substituted brief is denied.

CV-22-234. Altice USA, Inc., d/b/a Suddenlink Communications v. William Campbell, from Clark County Circuit Court. Motion of Ginger Gooch to withdraw as counsel for the appellant is granted.

CV-22-236. Altice USA, Inc., d/b/a Suddenlink Communications v. Pam Runyan and Jesse Runyan, Parents and Guardians of Minor Child (an Incapacitated Person), from Clark County Circuit Court. Motion of Ginger Gooch to withdraw as counsel for the appellant is granted.

CV-22-241. Amy Smith v. Brad Smith, from Hot Spring County Circuit Court. Appellant's motion for extension of time to file reply brief is granted. Abramson, J., not participating.

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. Motion of Jennifer L. Merritt to withdraw as counsel is granted. Gladwin, J., not participating.

CV-22-348. Cody Tackett; TTC, Inc.; Red River Sand and Gravel; S.W.A.T., Inc.; Synergy Logistics, Inc.; and CST Logistics, Inc. v. Miller-Claborn Oil Distributing Co., Inc.; Amy Freedman, Special Administratrix of the Estate of John Z. Tackett, Jr.; Melissa Wright Tackett; Hwy. 71 Trucking, LLC; and JZT's Hwy 71 Trucking, LLC, from Little River County Circuit Court. Motion of separate appellee Miller-Claborn Oil Distributing Co., Inc., for expansion of word count limitation is denied. Barrett, J., not participating.

CV-22-382. Mary Grayson v. Christopher Anderson, from Boone County Circuit Court. Appellant's motion to supplement record on appeal is granted.

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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 second motion to enforce writ of certiorari and extend time. Granted final extension of thirty days (January 6, 2023). Barrett and Hixson, JJ., would issue a show-cause order to the court reporter. Gruber, J., not participating.

CV-22-538. Hamid Mardanbeiki v. Tahereh Mehran, from Washington County Circuit Court. Appellee's motion to file belated brief is granted.

E-22-575. Krishana Day v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion for reconsideration of denial to file belated appeal is denied.

E-22-577. James Turner v. Director et al., from the Arkansas Board of Review. Appellant's motion to add new evidence is denied.

E-22-589. Robert Gage v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to expedite is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

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. Edward Harvey, Bonnie Harvey, and Marvin Jones, from Pulaski County Circuit Court, Eleventh Division. (Separate appellees Edward Harvey and Bonnie Harvey)

CV-21-312. Ralph Bradbury v. Edward Harvey, Bonnie Harvey, and Marvin Jones, from Pulaski County Circuit Court, Eleventh Division. (Separate appellee Marvin Jones)

E-21-686. Antonio Stewart v. Director et al., from the Arkansas Board of Review.

CR-19-222. Craytonia Badger v. State of Arkansas, from Columbia County Circuit Court. Appellant's pro se motion for trial transcript at public expense.

CR-22-80. Everett James Miller v. State of Arkansas, from Miller County Circuit Court. Motion of David L. Dunagin for attorney's fees.

CR-22-107. Johnny Franklin v. State of Arkansas, from Crawford County Circuit Court. Motion of Jonathan T. Lane 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 to file nonconforming brief "F (Th)."

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to file nonconforming briefs 51 and 52.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to file nonconforming brief 54.

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

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MOTIONS SUBMITTED

CR-22-582. Chavel Jemison v. State of Arkansas, from Miller County Circuit Court. Appellee's motion to remand or, in the alternative, motion for extension of time.

CR-22-663. Paul Criswell v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Appellant's pro se motion for continuance.

CR-22-667. David Wayne Railey v. State of Arkansas, from Nevada County Circuit Court. Appellant's motion for writ of certiorari to complete the record.

CR-22-746. Rolando Cuevas-Flores v. State of Arkansas, from Benton County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CV-21-588. Lara Wilkerson (formerly Durham) v. Randall Durham, from Garland County Circuit Court. Appellant's motion to modify garnishment.

CV-22-46. (In the Matter of the Edward Grimes Trust, the Esther Grimes Trust, and the Peters Family Trust) Zoran Peters, Individually, and in His Capacity as Trustee of the Peters Family Trust v. Lisa Woods, Individually, and in Her Capacity as Trustee of the Edward Grimes Trust and the Esther Grimes Trust; and Lisa Woods, Individually, and in Her Capacity as Trustee of the Peters Family Living Trust, from Benton County Circuit Court. Appellant's motion to substitute party.

CV-22-46. (In the Matter of the Edward Grimes Trust, the Esther Grimes Trust, and the Peters Family Trust) Zoran Peters, Individually, and in His Capacity as Trustee of the Peters Family Trust v. Lisa Woods, Individually, and in Her Capacity as Trustee of the Edward Grimes Trust and the Esther Grimes Trust; and Lisa Woods, Individually, and in Her Capacity as Trustee of the Peters Family Living Trust, from Benton County Circuit Court. Appellant's motion to stay trial proceedings.

CV-22-46. (In the Matter of the Edward Grimes Trust, the Esther Grimes Trust, and the Peters Family Trust) Zoran Peters, Individually, and in His Capacity as Trustee of the Peters Family Trust v. Lisa Woods, Individually, and in Her Capacity as Trustee of the Edward Grimes Trust and the Esther Grimes Trust; and Lisa Woods, Individually, and in Her Capacity as Trustee of the Peters Family Living Trust, from Benton County Circuit Court. Appellant's motion to supplement the record.

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MOTIONS SUBMITTED

CV-22-671. Steve O. Mauldin, Jimmy Mauldin, and Virginia Mauldin v. Centennial Bank, from Faulkner County Circuit Court. Appellee's motion to dismiss appeal.

CV-22-718. Celeste Vereen v. Charles Vereen, from Pulaski County Circuit Court, Ninth Division. Appellant's motion to consolidate records.

E-21-671. Kimberly Perkins v. Director et al., from the Arkansas Board of Review. Appellant's motion for reconsideration.

E-22-213. Joshua Torrence v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to add evidence.

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CASES SUBMITTED

CR-22-171. Dartanya Stapleton v. State of Arkansas, from Clark County Circuit Court.

CR-22-196. Dennis Davis, Jr. v. State of Arkansas, from Mississippi County Circuit Court, Osceola District.

CV-21-524. Louis Langley Pitts v. Bailey Anderson, from Washington County Circuit Court.

CV-21-579. Patsy Inman and Lloyd Inman III v. Waymon Jeffery Hornbeck, from Arkansas County Circuit Court, Southern District.

CV-22-10. Katherine McClerkin v. Rogue Construction, LLC, from Pulaski County Circuit Court, Sixth Division.

CV-22-25. Jon Rogers v. Aramark, from the Arkansas Workers' Compensation Commission.

CV-22-255. Nina Johnson v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

CV-22-289. Nina Johnson v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.

CV-22-411. Heidi Chassels and Jeremy Collins v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.

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

E-21-700. Kevin Barber v. Director et al.

E-21-748. Ismail Saafir v. Director et al.

E-21-795. Marc Weisinger v. Director et al.

E-21-796. Deborah Bunch v. Director et al.

E-21-797. Brenda Whitmore v. Director et al.

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CASES SUBMITTED

- E-21-798. Justin Munn v. Director et al.
- E-21-799. Jonnequa Jones v. Director et al.
- E-21-800. Judy Cox v. Director et al.
- E-21-801. Michael Hamilton v. Director et al.
- E-21-802. Erica Fitzpatrick v. Director et al.
- E-21-804. Lindsay Sherry v. Director et al.
- E-21-806. Jasseari Cunningham v. Director et al.
- E-21-807. Shanice Parker v. Director et al.
- E-21-809. Rita Lingo v. Director et al.
- E-21-810. Arlon Faught v. Director et al.
- E-21-811. Arlon Faught v. Director et al.
- E-21-812. Arlon Faught v. Director et al.
- E-21-814. Dakota Rowland v. Director et al.
- E-21-815. Ashley Sprague v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>