

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JANUARY 18, 2023**

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

[CR-22-179](#). Antonio Holliman v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Rebriefing ordered; motion to withdraw denied. Hixson and Brown, JJ., agree.

**RAYMOND R. ABRAMSON, JUDGE:**

[CR-21-255](#). Jodeci Nash v. State of Arkansas, from Saline County Circuit Court. Rebriefing ordered; motion to withdraw denied. Virden and Klappenbach, JJ., agree.

[CR-21-577](#). Samuel Herrington v. State of Arkansas, from Lonoke County Circuit Court. Affirmed; motion to withdraw granted. Virden and Klappenbach, JJ., agree.

**BART F. VIRDEN, JUDGE:**

[CR-22-58](#). Synthia Travis v. State of Arkansas, from Saline County Circuit Court. Rebriefing ordered; motion to withdraw denied. Abramson and Klappenbach, JJ., agree.

[CR-22-457](#). Lorenzo Valentino McCullough v. State of Arkansas, from Washington County Circuit Court. Motion to withdraw denied; remanded to settle and supplement the record; rebriefing ordered. Abramson and Klappenbach, JJ., agree.

**N. MARK KLAPPENBACH, JUDGE:**

[CR-22-137](#). Conceptionne Joiner v. State of Arkansas, from Faulkner County Circuit Court. Appeal dismissed; motion to withdraw granted. Abramson and Virden, JJ., agree.

[CR-22-171](#). Dartanya Stapleton v. State of Arkansas, from Clark County Circuit Court. Affirmed. Abramson and Virden, JJ., agree.

[CV-22-412](#). Samantha Navrat v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to withdraw granted. Abramson and Virden, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CR-22-26](#). Joseph Cessna v. State of Arkansas, from Pope County Circuit Court. Affirmed; motion to withdraw granted. Barrett and Murphy, JJ., agree.

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**RITA W. GRUBER, JUDGE: (continued)**

[CV-22-323](#). Teasha Edd v. Arkansas Department of Human Services and Minor Children, from Miller County Circuit Court. Affirmed; motion to withdraw granted. Barrett and Murphy, JJ., agree.

**STEPHANIE POTTER BARRETT, JUDGE:**

[CR-22-146](#). Johnny Lee Nichols v. State of Arkansas, from Pope County Circuit Court. Affirmed; motion to withdraw granted. Gruber and Murphy, JJ., agree.

[CR-22-147](#). Johnny Lee Nichols v. State of Arkansas, from Pope County Circuit Court. Affirmed; motion to withdraw granted. Gruber and Murphy, JJ., agree.

**KENNETH S. HIXSON, JUDGE:**

[CV-22-365](#). Jill Davidson v. Arkansas Department of Human Services and Minor Children, from Logan County Circuit Court, Southern District. Affirmed; motion granted. Harrison, C.J., and Brown, J., agree.

**MIKE MURPHY, JUDGE:**

[CR-22-317](#). Jonathan Justice v. State of Arkansas, from Johnson County Circuit Court. Affirmed; motion to withdraw granted. Gruber and Barrett, JJ., agree.

[CR-22-406](#). Todd Michael Winters v. State of Arkansas, from Bradley County Circuit Court. Affirmed; motion to withdraw granted. Gruber and Barrett, JJ., agree.

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**PER CURIAM ORDERS**

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

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, from Pulaski County Circuit Court, Sixth Division. Gruber, J., not participating.

CV-21-521. Sharon Marcum v. Robert Hodge, from Pulaski County Circuit Court, Fourth Division. Virden, J., not participating.

CV-21-573. Cassey Bassett v. Jeremy Emery, Kendra Emery, and Dusty Emery, from Greene County Circuit Court. Harrison, C.J., and Abramson and Thyer, JJ., not participating.

CV-22-10. Katherine McClerkin v. Rogue Construction, L.L.C., from Pulaski County Circuit Court, Sixth Division. Abramson, J., not participating.

CV-22-223. Casey McClara v. Robert McClara and Judith McClara, from Polk County Circuit Court. Abramson, J., not participating.

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CR-22-82. Leonard Wiley v. State of Arkansas, from Crawford County Circuit Court. Motion of Alex Burgos for award of attorney’s fees is granted. Allowed \$2250.00.

CR-22-159. Kevin Brady v. State of Arkansas, from Greene County Circuit Court. Motion of Sonia Fonticiella for attorney’s fee is granted. Allowed \$2250.00. Thyer, J., not participating.

CR-22-257. Kiah Danner v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney’s fees is granted. Allowed \$2250.00.

CR-22-259. Zachary Pinegar v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney’s fees is granted. Allowed \$2250.00. Virden, J., not participating.

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CR-22-262. Zachary Pinegar v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney's fees is granted. Allowed \$2250.00. Virden, J., not participating.

CR-22-268. Mikato Fulks v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for appointment of counsel is granted.

CR-22-276. Mark Fish v. State of Arkansas, from Crawford County Circuit Court. Motion of Michael Kiel Kaiser for fees is granted. Allowed \$1743.32. Klappenbach, J., not participating.

CR-22-287. Jonathan Lawrence v. State of Arkansas, from Drew County Circuit Court. Motion of Gary W. Potts for costs and attorney's fees is granted. Allowed \$2250.00.

CR-22-288. Marvin Hampton v. State of Arkansas, from Boone County Circuit Court. Motion of Tara Schmutzler for attorney's fees is granted. Allowed \$2250.00.

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

CR-22-474. Minor Child v. State of Arkansas, from Benton County Circuit Court. Motion of Noah Watson to withdraw as counsel for the appellant is granted.

CR-22-474. Minor Child v. State of Arkansas, from Benton County Circuit Court. Motion of Glenn Larkin for entry of appearance on behalf of the appellant is granted.

CR-22-516. Joseph Chapman v. State of Arkansas, from Polk County Circuit Court. Appellant's petition for writ of certiorari to complete the record and request for new briefing schedule when record is complete. Granted thirty days. Final extension.

CR-22-625. Anita Spradlin v. State of Arkansas, from Marion County Circuit Court. Appellee's motion to dismiss is granted. Harrison, C.J., and Virden and Klappenbach, JJ., would require a response from appellant's counsel.

CR-22-674. Coree McGaugh v. State of Arkansas, from Yell County Circuit Court, Northern District. Motion of James Law Firm to substitute counsel is granted.

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**PER CURIAM ORDERS**

CR-22-674. Coree McGaugh v. State of Arkansas, from Yell County Circuit Court, Northern District. Appellant's motion for rule on clerk is granted.

CR-22-775. Sean Michael Woodruff v. State of Arkansas, from Arkansas County Circuit Court, Southern District. Appellant's motion to correct the record is granted.

CR-22-777. Brendan Burns v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's motion for belated appeal and appointment of counsel for appeal is granted.

CR-22-783. Rochelle Mead v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion for belated appeal is granted.

CR-22-784. Joshua Fleming v. State of Arkansas, from Drew County Circuit Court. Appellant's motion for rule on clerk is granted.

CR-22-803. Kinslow Young v. State of Arkansas, from St. Francis County Circuit Court. Appellant's motion for rule on clerk and to file a belated appeal is granted.

CR-22-803. Kinslow Young v. State of Arkansas, from St. Francis County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

CR-22-803. Kinslow Young v. State of Arkansas, from St. Francis County Circuit Court. Appellant's motion to withdraw and appoint appellate counsel is granted.

CR-22-809. Michael Shane Stoelting v. State of Arkansas, from Benton County Circuit Court. Appellant's petition for writ of certiorari to complete the record is granted.

CV-22-274. Al-Aayfee Aboo Yah Ya v. City of El Dorado, Arkansas, from Union County Circuit Court. Appellee's motion to dismiss appeal is granted.

CV-22-333. Kenneth Colley v. Audrey Colley, from Sebastian County Circuit Court, Greenwood District. Appellant's motion for leave to file reply is moot. Harrison, C.J., not participating.

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**PER CURIAM ORDERS**

CV-22-333. Kenneth Colley v. Audrey Colley, from Sebastian County Circuit Court, Greenwood District. Appellant's amended motion for leave to file reply is granted. Harrison, C.J., not participating.

CV-22-432. Jessica Mathis v. Glenn Hickman, Jr., from Pulaski County Circuit Court, Seventeenth Division. Appellee's motion to supplement record is granted. Murphy, J., not participating.

CV-22-495. David Heileman v. Ariel Cahoon (Formerly Heileman), from Poinsett County Circuit Court. Appellant's motion to supplement the record is granted. Thyer, J., not participating.

CV-22-555. Shawnta Parker v. The Reliable Life Insurance Company, from Phillips County Circuit Court. Appellant's motion to remand the case to the trial court in order to allow the parties to complete the agreed upon settlement is granted. Status report is due in sixty days (March 19, 2023).

CV-22-710. Jordan Joslin v. Elizabeth Marie James, from White County Circuit Court. Appellee's motion to dismiss appeal is denied. Harrison, C.J., not participating.

CV-22-718. Celeste Vereen v. Charles Vereen, from Pulaski County Circuit Court, Ninth Division. Appellant's motion to accept belated brief is granted. Thyer, J., not participating.

CV-22-780. Christobal Mancia v. Dana Reece, from Pulaski County Circuit Court, Seventeenth Division. Appellant's pro se petition for leave to proceed in forma pauperis is denied.

E-21-667. Jeffery Taylor v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file a late motion for reconsideration is denied.

E-21-668. Jeffery Taylor v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file a late motion for reconsideration is denied.

E-21-683. Jerlene Duncan v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file a belated petition for reconsideration is denied.

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**PER CURIAM ORDERS**

E-21-762. Drew Alisandre v. Director et al., from the Arkansas Board of Review. Appellant's motion for reconsideration is denied.

E-21-763. Drew Alisandre v. Director et al., from the Arkansas Board of Review. Appellant's motion for reconsideration is denied.

E-22-398. Cecily Storm v. Director et al., from the Arkansas Board of Review. Appellees' motion to accept supplemental record is granted. Gladwin, J, not participating.

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

E-22-662. Bruce Ward v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file a belated appeal is denied.

E-22-663. Bruce Ward v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file a belated appeal is denied.

E-22-678. Megan Kellogg v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file belated appeal is denied.

E-22-679. Megan Kellogg v. Director et al., from the Arkansas Board of Review. Appellant's motion to file belated appeal is denied.

E-22-687. Patrick DeFoe v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file a belated appeal is denied.

E-22-692. Tommye Williams v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file belated appeal is denied.

E-22-693. Tommye Williams v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to file belated appeal is denied.

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**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CV-20-704. Taylor Family Limited Partnership “B” v. XTO Energy, Inc., from Franklin County Circuit Court, Northern District.

E-21-797. Brenda Whitmore v. Director et al., from the Arkansas Board of Review.

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CR-20-58. Gary Lynn Conley v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant’s pro se motion for copy of the record/transcript lodged.

CR-21-594. Daroyce Rodgers v. State of Arkansas, from Miller County Circuit Court. Motion of Jordan B. Tinsley for 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 Rule 15.”

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 procedural rules, “brief objection.”

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 procedural rules, “brief supplemental Rule 33.2.b.”

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant’s pro se motion to file nonconforming brief, denied access to courts and deliberate retaliations.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant’s pro se motion to file nonconforming brief, amended case to add defendants pursuant to Rule 15.A, 19.A-Fed. R. Civ. P.

CR-22-290. Dalvin Jones v. State of Arkansas, from Hempstead County Circuit Court. Motion of Brett D. Watson for attorney’s fees.



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**MOTIONS SUBMITTED**

CR-22-583. Albert B. Mitchell v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion for appointment of new counsel.

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 reply brief.

CR-22-667. David Wayne Railey v. State of Arkansas, from Nevada County Circuit Court. Appellant's motion for extension of time to complete clerk's portion of record.

CR-22-746. Rolando Cuevas-Flores v. State of Arkansas, from Benton County Circuit Court. Appellant's motion to extend deadline to complete the record.

CR-22-785. Correy Crawford v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's pro se motion for "continuances and extension of time" to file brief.

CR-23-2. Boyce Williams v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se petition for leave to file a belated appeal.

CR-23-20. Leroy Levell Jackson v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Appellant's motion to correct the record on appeal.

CV-21-540. Advantage Property Management v. Christopher Burkard, from Faulkner County Circuit Court. Motion of Meredith Powell to withdraw as counsel.

CV-22-155. Advantage Property Management v. Christopher Burkard, from Faulkner County Circuit Court. Motion of Meredith Powell to withdraw as counsel.

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 Company, Inc., to accept belated supplemental record after deadline specified in writ.

CV-22-538. Hamid Mardanbeiki v. Tahereh Mehran, from Washington County Circuit Court. Appellant's motion to file belated addendum, brief, and tendered brief.

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**MOTIONS SUBMITTED**

CV-22-538. Hamid Mardanbeiki v. Tahereh Mehran, from Washington County Circuit Court. Appellee's motion to strike addendum and exhibits.

CV-22-538. Hamid Mardanbeiki v. Tahereh Mehran, from Washington County Circuit Court. Appellant's motion for modification and supplementation of the record on appeal.

CV-22-730. Robbie Zaragoza v. Susan McDonald and Sam McDonald, from Benton County Circuit Court. Appellant's motion to supplement record and stay the briefing schedule.

CV-22-800. Tina Marie Jones v. Austin Reddig, from Pulaski County Circuit Court, Fifteenth Division. Appellant's motion to supplement the record.

CV-22-805. Janet Nicholas v. Mike Jones, from Sebastian County Circuit Court, Fort Smith District. Notice of appellant's/cross-appellee's bankruptcy.

E-23-2. Dwayne L. Richards v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion for belated appeal.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JANUARY 18, 2023**

**CASES SUBMITTED**

CV-20-509. The AGREED Foundation d/b/a American Gamebird Research Education and Development Foundation, Inc. v. Friends of Lake Erling Association, from Lafayette County Circuit Court. Orally argued.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court.

CR-22-258. Christopher Burns v. State of Arkansas, from Hot Spring County Circuit Court.

CR-22-359. Toney D. Kinnard v. State of Arkansas, from Bradley County Circuit Court.

CR-22-479. Eugene Quackenbush v. State of Arkansas, from Johnson County Circuit Court.

CV-21-534. St. Matthew Lutheran Church of Conway, Arkansas, By and Through Craig Olsen, President of the Congregation; and David Mohr v. Jeff Roper, as President of the Administrative Council of St. Matthew's Lutheran Church; Scott Roper; and Debbie Barnes, from Faulkner County Circuit Court.

CV-21-627. Tina Lewis v. Peggy K. Guard, M.D.; Baptist Health d/b/a Baptist Health Medical Center Little Rock; and John Doe Insurance Companies 6–9, from Pulaski County Circuit Court, Sixth Division.

CV-22-303. Mario P. Gurelé v. Shilia Sanders, from Sebastian County Circuit Court, Fort Smith District.

CV-22-335. Shane Helmes v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eighth Division.

CV-22-389. Taylor Harrison v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

CV-22-403. Moesha Lawson v. Arkansas Department of Human Services and Minor Child, from St. Francis County Circuit Court.

CV-22-431. Lauren Taylor v. Arkansas Department of Human Services and Minor Child, from Conway County Circuit Court.

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**CASES SUBMITTED**

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

- E-22-5. Tiffany Ray v. Director et al.
- E-22-6. Clifton Mabry v. Director et al.
- E-22-7. Erin Daniels v. Director et al.
- E-22-8. Jennifer Kelly v. Director et al.
- E-22-9. Priya Bhushan v. Director et al.
- E-22-10. Priya Bhushan v. Director et al.
- E-22-11. Patricia Edgerson v. Director et al.
- E-22-12. Kelly Harrison v. Director et al.
- E-22-13. Kelly Harrison v. Director et al.
- E-22-14. Mary Swift v. Director et al.
- E-22-15. Michael Goodwin v. Director et al.
- E-22-16. Koddie Taylor v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>