

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JANUARY 25, 2023**

**RAYMOND R. ABRAMSON, JUDGE:**

[CV-22-355](#). Gaylon Scroggins v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division. Affirmed. Gladwin and Brown, JJ., agree.

**ROBERT J. GLADWIN, JUDGE:**

[CR-22-361](#). Geoffery Basham v. State of Arkansas, from Miller County Circuit Court. Reversed and dismissed. Abramson and Brown, JJ., agree.

**N. MARK KLAPPENBACH, JUDGE:**

[CV-22-379](#). Kelli Anderson v. Arkansas Department of Human Services and Minor Children, from Hot Spring County Circuit Court. Affirmed. Barrett and Murphy, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CV-22-55](#). Jessica Hayes v. William Hayes, from Sebastian County Circuit Court, Fort Smith District. Reversed. Wood and Hixson, JJ., agree.

**STEPHANIE POTTER BARRETT, JUDGE:**

[CR-22-116](#). Devonta McDonald v. State of Arkansas, from Lonoke County Circuit Court. Affirmed. Klappenbach and Murphy, JJ., agree.

**CINDY GRACE THYER, JUDGE:**

[CR-22-175](#). Jamie Demon Jacobs v. State of Arkansas, from Columbia County Circuit Court. Remanded to settle and supplement the record. Harrison, C.J., and Virden, J., agree.

**WENDY SCHOLTENS WOOD, JUDGE:**

[CV-22-343](#). Devin Wayne Campbell v. Arkansas Department of Human Services and Minor Child, from Faulkner County Circuit Court. Affirmed. Gruber and Hixson, JJ., agree.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**KENNETH S. HIXSON, JUDGE:**

[CR-22-103](#). Justin Shiyone Moody v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Gruber and Wood, JJ., agree.

**WAYMOND M. BROWN, JUDGE:**

[CV-21-569](#). City of Fort Smith v. B&A Electric, Inc; Megehee Fence Contracting, LLC; Grimes Dozer Service, Inc.; James Griffith; and River Valley Sports Complex, Inc., from Sebastian County Circuit Court, Fort Smith District. Reversed and dismissed. Abramson and Gladwin, 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-21-790. Kevin Smith v. Director et al.

E-21-816. Dawn Sams v. Director et al.

E-21-817. Morgan Cornelison v. Director et al.

E-21-818. Gypsy Stiger v. Director et al.

E-21-819. Veronica Armstrong v. Director et al.

E-21-820. Sarah Watson v. Director et al.

E-21-821. Henry Jones v. Director et al.

E-21-822. Natasha Ruff v. Director et al.

E-22-1. Linda Rasberry v. Director et al.

E-22-2. Tiffany Babcock v. Director et al.

E-22-3. Nancy Helfrich v. Director et al.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

E-22-4. Travis Harrier v. Director et al.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**PER CURIAM ORDERS**

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

CV-20-704. Taylor Family Limited Partnership “B” v. XTO Energy, Inc., from Franklin County Circuit Court, Northern District. Harrison, C.J., and Abramson, J., not participating.

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 is granted.

CR-21-594. Daroyce Rodgers v. State of Arkansas, from Miller County Circuit Court. Motion of Jordan B. Tinsley for attorney’s fees is granted. Allowed \$2250.00. Barrett, 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 Rule 15” 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 brief that does not conform to procedural rules, “brief objection” 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 brief that does not conform to procedural rules, “brief supplemental Rule 33.2.b” 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, denied access to courts and deliberate retaliations 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, amended case to add defendants pursuant to Rule 15.A, 19.A-Fed. R. Civ. P. is denied.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**PER CURIAM ORDERS**

CR-22-290. Dalvin Jones v. State of Arkansas, from Hempstead County Circuit Court. Motion of Brett D. Watson for attorney's fees is granted. Allowed \$2250.00. Harrison, C.J., and Abramson, J., not participating.

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 is denied.

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 is granted.

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 is granted.

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 is granted.

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 is moot. Thyer, J., not participating.

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 is denied.

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 is granted.

CV-21-540. Advantage Property Management v. Christopher Burkard, from Faulkner County Circuit Court. Motion of Meredith Powell to withdraw as counsel is granted. Abramson, J., not participating.

CV-22-155. Advantage Property Management v. Christopher Burkard, from Faulkner County Circuit Court. Motion of Meredith Powell to withdraw as counsel is granted. Abramson, J., not participating.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JANUARY 25, 2023**

**PER CURIAM ORDERS**

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 is granted. Barrett, J., not participating.

[CV-22-515](#). Arkansas Blue Cross Blue Shield v. 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; Bozman-Hof Eye Center; Physicians 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; Arkansas Center For Surgical Excellence; and Alan McClain, Insurance Commissioner, from Pulaski County Circuit Court, Fifth Division. Motion to deem the record complete is granted; briefing schedule ordered; show-cause order issued. See **per curiam** this date. Brown, J., dissents without opinion. Gruber, J., not participating.

CV-22-538. Hamid Mardanbeiki v. Tahereh Mehran, from Washington County Circuit Court. Appellant's motion to file belated addendum, brief, and tendered brief is granted. Appellant's compliant reply brief is due in seven days (February 1, 2023).

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

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 is denied.

CV-22-712. Jazmin Deziree Waldon v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to correct the record and to stay briefing schedule is granted. Klappenbach, Gruber, Thyer, and Wood, JJ., would deny.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**PER CURIAM ORDERS**

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 is granted.

CV-22-761. Cheyenne Workman and Jesse Ludwig v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Motion of separate appellant Jesse Ludwig to correct the record and to stay the briefing schedule is granted.

CV-22-800. Tina Marie Jones v. Austin Reddig, from Pulaski County Circuit Court, Fifteenth Division. Appellant's motion to supplement the record is granted. Harrison, C.J., not participating.

CV-22-805. Janet Nicholas v. Mike Jones, from Sebastian County Circuit Court, Fort Smith District. Notice of appellant's/cross-appellee's bankruptcy is noted. Status report is due in ninety days (April 25, 2023). Harrison, C.J., and Abramson, J., not participating.

E-21-582. James Tanksley v. Director et al., from the Arkansas Board of Review. Appellees' motion for extension to file the record is granted.

E-21-583. James Tanksley v. Director et al., from the Arkansas Board of Review. Appellees' motion for extension to file the record is granted.

E-21-587. James Tanksley v. Director et al., from the Arkansas Board of Review. Appellees' motion for extension to file the record is granted.

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

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**MOTIONS SUBMITTED**

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion asking court to proceed with regard to "stolen items" and for leave to file briefs that do not conform to procedural rule.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion asking court "still stolen retaliations" and "violations" and for leave to file briefs that do not conform to procedural rule.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion asking court for injunctions against ADC commissary staff and for leave to file briefs that do not conform to procedural rule.

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

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion asking court for help.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se objection Rule 37.5, objection to Assistant Attorney General Formal Order January 11, 2023, and for leave to file briefs that do not conform to procedural rule.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion Rule 33.2.b. and for leave to file briefs that do not conform to procedural rule.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion Rule 33.2.b., Brief 33 and for leave to file briefs that do not conform to procedural rule.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion Rule 33.2.b., Brief 6.A and for leave to file briefs that do not conform to procedural rule.



**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**MOTIONS SUBMITTED**

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion Rule 33.2.b., Brief 6.B and for leave to file briefs that do not conform to procedural rule.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion Rule 33.2.b., Brief 1 and for leave to file briefs that do not conform to procedural rule.

CR-22-226. Thelma Williams v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion Rule 33.2.b., brief stolen and for leave to file briefs that do not conform to procedural rule.

CR-22-268. Mikato Fulks v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for writ of certiorari to complete the record.

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 brief time.

CR-22-377. Michael Davis v. State of Arkansas, from Lonoke County Circuit Court. Appellee's motion to dismiss.

CR-22-424. Douglas Eugene Causey v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion of Craig Lambert for entry of appearance.

CR-22-716. Lamiesha Toney v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to file belated brief.

CR-22-791. Daniel McGuire v. State of Arkansas, from Yell County Circuit Court, Northern District. Appellant's petition for writ of certiorari to complete the record.

CR-23-28. Cleotis Milton v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for rule on the clerk or motion for belated appeal.

CR-23-28. Cleotis Milton v. State of Arkansas, from Benton County Circuit Court. Appellant's motion to be relieved and for substitution of counsel.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**MOTIONS SUBMITTED**

CR-23-35. Michael Whiting v. State of Arkansas, from Arkansas County Circuit Court, Southern District. Appellant's petition for writ of certiorari to complete the record, or, in the alternative, motion to remand to settle the record.

CR-23-37. Gyeon Porter v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's motion for a rule on the clerk.

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 Jordan Broyles to withdraw as counsel.

CV-22-570. Kymira Gant v. First Step, Inc.; and Risk Management Resources, Inc., from the Arkansas Workers' Compensation Commission. Appellant's motion to file amended brief.

CV-22-683. Jeffery C. Frazier v. Jana L. Bland and Paige E. Bland, from White County Circuit Court. Appellant's motion to supplement the record and to stay briefing schedule.

CV-22-683. Jeffery C. Frazier v. Jana L. Bland and Paige E. Bland, from White County Circuit Court. Appellant's motion for extension of time to file appellant's brief.

CV-22-733. Grant Mayner v. Mark McCormack; Leslie McCormack; and John Doe Occupants of 114 Fifth Street, Charleston, Arkansas, from Franklin County Circuit Court, Southern District. Motion of separate appellee Mark McCormack to dismiss appeal.

CV-22-788. Jeanette Macias v. Arkansas Department of Human Services and Minor Child, from Logan County Circuit Court, Northern District. Agreed motion to stay briefing schedule, motion for extension of time, and motion for writ of certiorari to complete record.

E-21-582. James Tanksley v. Director, Department of Workforce Services, from the Arkansas Board of Review. Appellee's motion to dismiss or in the alternative to remand.

E-21-583. James Tanksley v. Director, Department of Workforce Services, from the Arkansas Board of Review. Appellee's motion to dismiss or in the alternative to remand.

E-21-587. James Tanksley v. Director, Department of Workforce Services, from the Arkansas Board of Review. Appellee's motion to dismiss or in the alternative to remand.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**CASES SUBMITTED**

CR-21-254. Logan Morrison v. State of Arkansas, from Benton County Circuit Court.

CR-22-7. Casey Reynolds v. State of Arkansas, from White County Circuit Court.

CR-22-67. Perry Louis McGowan v. State of Arkansas, from Mississippi County Circuit Court, Osceola District.

CR-22-98. Martha Rosario Gonzales v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-22-99. Luther Shaw v. State of Arkansas, from Garland County Circuit Court.

CR-22-214. Ricky Allen Williams v. State of Arkansas, from Lonoke County Circuit Court.

CR-22-302. Kyle Myatt v. State of Arkansas, from Greene County Circuit Court.

CR-22-325. Sarah Heathman v. State of Arkansas, from Grant County Circuit Court.

CR-22-363. Oshaye Castle v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-22-373. Jon Eric LaRue v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-22-434. Jimmy L. Walls v. State of Arkansas, from Jefferson County Circuit Court.

CV-21-565. Tempworks Management Services, Inc.; and AmTrust North America v. Gary Jaynes, from the Arkansas Workers' Compensation Commission.

CV-22-229. Nucor Yamato Steel Co. and Sedgwick Insurance Company v. Lonnie Echols, from the Arkansas Workers' Compensation Commission.

CV-22-271. Raphaell Woods v. Arkansas Department of Human Services and Minor Children, from Miller County Circuit Court.

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF JANUARY 25, 2023**

**CASES SUBMITTED**

CV-22-298. Joshua I. Ruffin v. Command Center, Inc.; and Ace American Insurance Company/Gallagher Bassett Services, Inc., from the Arkansas Workers' Compensation Commission.

CV-22-470. Natayah Heggins v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Eighth Division.

CV-22-480. Myrtle Myers and Nichols Myers v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

CV-22-502. Alexandra Franklin v. Arkansas Department of Human Services and Minor Child, from Scott County Circuit Court.

CV-22-507. Leonard Fulmer v. Arkansas Department of Human Services and Minor Child, from Logan County Circuit Court, Northern District.

CV-22-527. Springfield Grocer Company and Sedgwick Claims Management Services, Inc. v. Dillon Chaulsett, from the Arkansas Workers' Compensation Commission.

CV-22-544. Devin Wayne Campbell v. Arkansas Department of Human Services and Minor Child, from Faulkner County Circuit Court.

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

E-22-121. Amber Helms v. Director et al.

E-22-390. Daniel Carman v. Director et al.

E-22-393. Daniel Carman v. Director et al.

Opinions are available on the internet at

<http://arcourts.gov>