

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 19, 2023

RAYMOND R. ABRAMSON, JUDGE:

[CR-22-525](#). Assefa G. Egziabher v. State of Arkansas, from Washington County Circuit Court. Affirmed in part; reversed and remanded in part. Gladwin and Thyer, JJ., agree.

[CV-22-309](#). Lauren Duensing v. Arkansas State Medical Board, from Pulaski County Circuit Court, Eleventh Division. Reversed and remanded. Gruber and Murphy, JJ., agree.

ROBERT J. GLADWIN:

[CR-22-404](#). Kristopher Gould v. State of Arkansas, from Poinsett County Circuit Court. Affirmed. Harrison, C.J., and Wood, J., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-22-370](#). Charlie Morris v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Wood and Hixson, JJ., agree.

[CV-22-735](#). Katharena Flowers v. Arkansas Department of Human Services and Minor Children, from Union County Circuit Court. Affirmed. Wood and Hixson, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-22-788](#). Jeanette Macias v. Arkansas Department of Human Services and Minor Child, from Logan County Circuit Court, Northern District. Affirmed. Abramson and Murphy, JJ., agree.

CINDY GRACE THYER, JUDGE:

[CV-22-577](#). Robin Bush v. Sherwood Tractor, Inc.; Midwest Insurance Company/MIC Risk Management Services, LLC; and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Virden and Hixson, JJ., agree.

WENDY SCHOLTENS WOOD, JUDGE:

[CV-22-228](#). Steven Bogle v. Mary Hanna, from Saline County Circuit Court. Dismissed in part; reversed and remanded in part. Harrison, C.J., and Gladwin, J., agree.

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KENNETH S. HIXSON, JUDGE:

[CV-22-518](#). Jessika Goforth v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Virden and Thyer, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-22-723](#). Tevin Randle v. State of Arkansas, from Phillips County Circuit Court. Affirmed. Harrison, C.J., and Barrett, J., agree.

WAYMOND M. BROWN, JUDGE:

[CV-22-559](#). Johnson Controls, Inc., and Sedgwick Claims Management Services, Inc. v. Wesley Miller, from the Arkansas Workers' Compensation Commission. Affirmed. Klappenbach and Barrett, JJ., agree.

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PER CURIAM ORDERS

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

CV-22-33. Colvin Properties, LLC v. Paul Colvin, Jr., Personal Representative of the Estate of Paul Colvin, Sr., Deceased, from Washington County Circuit Court.

CV-22-73. Lakewood Health and Rehabilitation Center; Central Arkansas Centers, Inc.; Nursing Centers, Inc.; Nursing Consultants, Inc.; and Michael Morton v. Lula Ashby, as Personal Representative of the Estate of Martha Weaver, and on Behalf of the Wrongful Death Beneficiaries of Martha Weaver, from Pulaski County Circuit Court, Twelfth Division. Harrison, C.J., not participating.

CR-22-28. Larry Davis v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion and request of Laura Avery for attorney fees is granted. Allowed \$2250.00.

CR-22-444. John A. Roberts v. State of Arkansas, from Saline County Circuit Court. Motion of Michael K. Kaiser for fees is granted. Allowed \$2250.00. Klappenbach and Wood, JJ., not participating.

CR-22-477. Darryl Lavon Bunton v. State of Arkansas, from Ashley County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$2250.00.

CR-23-2. Boyce Williams v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion for rule on clerk is denied.

CR-23-168. Marcus A. Kellebrew v. State of Arkansas, from Bradley County Circuit Court. Appellant's pro se motion for rule on clerk is denied.

CR-23-194. Marcus A. Kellebrew v. State of Arkansas, from Drew County Circuit Court. Appellant's pro se motion for rule on clerk is denied.

CR-23-196. Devalin Wiseman v. State of Arkansas, from Howard County Circuit Court. Appellant's motion to relieve trial counsel on appeal is granted. Sonia Kezhaya is appointed as counsel for the appellant.

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CR-23-209. Olajide Roddy v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's motion for a rule on the clerk is treated as motion for belated appeal and is granted. Thyer, J., not participating.

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. Appellant's status report is noted. Status report is due in 120 days (August 17, 2023).

CV-22-168. Portfolio Recovery Associates, LLC v. Pamela Barnes, from Pulaski County Circuit Court, Seventeenth Division. Motion of Randall Pulliam to withdraw Jake Windley as counsel for the appellee is granted.

CV-22-448. Johnson Industrial Maintenance Company d/b/a JIMCO, LLC; and Andy Johnson v. William Borkowski and Mary Borkowski, Husband and Wife, from Washington County Circuit Court. Motion of John Walker Williams to withdraw is granted. Murphy, J., not participating.

CV-22-745. Robert VanHook, M.D. v. Medical Emergency Trauma Associates, PLLC, from Pulaski County Circuit Court, Seventeenth Division. Appellant's unopposed motion to correct the record and to stay briefing schedule is granted. Corrected record is due within thirty days (May 19, 2023).

CV-23-145. Robert Louis Smith v. Sheri Payne, from Garland County Circuit Court. Motion of Sherri Arman to withdraw as counsel for appellee is denied.

CV-23-163. Sahara Gonzalez v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to remand, to correct the record, and to stay the briefing schedule is granted. Corrected record is due within fourteen days (May 3, 2023).

CV-23-165. Sahara Gonzalez v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court. Appellant's motion to remand, to correct the record, and to stay the briefing schedule is granted. Corrected record is due within fourteen days (May 3, 2023).

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PER CURIAM ORDERS

CV-23-218. Martha Bell v. Walmart, Inc., from Benton County Circuit Court. Appellant's motion for rule on clerk is denied. Virden, Barrett, and Murphy, JJ., would grant. Abramson, Gruber, and Hixson, JJ., not participating.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-21-237. Halon V, LLC v. Thomas Terminella a/k/a Tom Terminella; Monica Terminella; The Terminella Company, Inc.; Monica’s Meadow, LLC; Wedington Mine, LLC; and Johnson Mine, LLC, from Benton County Circuit Court. Petition of separate appellees Wedington Mine, LLC; and Johnson Mine, LLC.

CV-21-237. Halon V, LLC v. Thomas Terminella a/k/a Tom Terminella; Monica Terminella; The Terminella Company, Inc.; Monica’s Meadow, LLC; Wedington Mine, LLC; and Johnson Mine, LLC, from Benton County Circuit Court. Petition of separate appellees Monica Terminella; the Terminella Company, Inc.; and Monica’s Meadow, LLC.

CR-19-222. Craytonia Badger v. State of Arkansas, from Columbia County Circuit Court. Appellant’s pro se motion for transcript, records, and documents pursuant to Rule 19 of the Arkansas Rules of Appellate Procedure–Criminal.

CR-22-358. Michael Fredrick Strange v. State of Arkansas, from Baxter County Circuit Court. Motion of Dusti Standridge for attorney’s fees and expenses.

CR-22-457. Lorenzo Valentino McCullough v. State of Arkansas, from Washington County Circuit Court. Appellant’s pro se motion to dismiss appeal.

CR-22-505. Larry Wilson Crain v. State of Arkansas, from Bradley County Circuit Court. Motion of Gary Wayne Potts for costs and attorney fees.

CR-22-539. Robert Lee Thurmon v. State of Arkansas, from Union County Circuit Court. Motion of Gary Wayne Potts for costs and attorney fees.

CR-22-701. Jason Baxter v. State of Arkansas, from White County Circuit Court. Appellant’s motion to accept belated brief.

CR-22-777. Brendean Burns v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant’s motion to file belated supplemental record.

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MOTIONS SUBMITTED

CR-23-113. Angela Downing v. State of Arkansas, from Conway County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CR-23-55. Rickie Nash v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's motion for belated brief and extension of time.

CV-22-275. Jimmy Dion Bardin v. Margaret Bardin, from Ashley County Circuit Court. Letter notifying court of death of counsel.

CV-23-135. G. Solomon Enterprises, Inc., and Gene S. Carmical v. Cheria Russenberger and Patrick Russenberger, from Lonoke County Circuit Court. Appellants' motion for extension of time to file brief and motion to supplement the record.

CV-23-226. Little Rock Police Department and The City of Little Rock v. Charles Starks, from Pulaski County Circuit Court, Sixth Division. Appellants' motion to consolidate the record on appeal.

E-23-141. Donell Smith v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion for belated appeal.

E-23-148. Sandra Cloinger v. Director et al., from the Arkansas Board of Review. Petitioner's motion to file belated appeal.

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CASES SUBMITTED

CR-22-631. Douglas Langlois v. State of Arkansas, from Jefferson County Circuit Court.

CR-22-713. Serafin Bahena v. State of Arkansas, from Garland County Circuit Court.

CV-20-496. (In the Matter of the Estate of Sherry Ann Ladd, Deceased) William Greg Spurlock v. James M. Ladd; James E. Ladd, as Personal Representative of the Estate of Sherry Ann Ladd, Deceased; and Southern Bancorp, from Craighead County Circuit Court, Eastern District.

CV-21-515. Mike Grigsby and Freida Grigsby v. Patsy Louise Kelly; Charles L. Ford; Sharon K. Barber; Barbara Woodruff; and Donna Murphy, from Newton County Circuit Court.

CV-21-558. Krystal Saul v. Jeremy Saul, from Pope County Circuit Court.

CV-21-629. Clifford W. Christian and Karen D. Christian v. Carol C. Norton, Individually; Carol A. Norton, Personal Representative of the Estate of Robert W. Domme; Carol A. Norton, Trustee, The Robert W. Domme Living Trust Dated February 1, 2007; SWO Properties, Inc.; and Stephanie Shriner d/b/a Lakeland Escrow Title & Services, from Boone County Circuit Court.

CV-22-118. Little Rock School District v. Joy Wadley, as Administrator of the Estate of Charles Parliment, Deceased, from Pulaski County Circuit Court, Sixth Division.

CV-22-242. Jonathan Tinney v. Christopher Childs and Georgia Snodgrass, from Garland County Circuit Court.

CV-22-374. James Fox v. Lester E. Alexander and Teresa A. Alexander, from Crawford County Circuit Court.

CV-22-375. Audryanna Cameron v. Aaron Cameron, from Union County Circuit Court.

CV-22-720. Lane Beanblossom and Rebecca Beanblossom v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.

CV-22-766. Linda Miller v. Arkansas Department of Human Services and Minor Children, from Miller County Circuit Court.

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CASES SUBMITTED

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

- E-22-171. Brea Holloway v. Director et al.
- E-22-172. Jasmin Gaines v. Director et al.
- E-22-173. Mary Meadough v. Director et al.
- E-22-174. Nyasha Hopson v. Director et al.
- E-22-175. Isaiah Ellison v. Director et al.
- E-22-176. Rayvon Daniels v. Director et al.
- E-22-177. Darlene Okeke v. Director et al.
- E-22-178. Sonya Hayes v. Director et al.
- E-22-179. Isis Whelan v. Director et al.
- E-22-180. Ruthie Whitby v. Director et al.
- E-22-181. Trisha Mainer v. Director et al.
- E-22-182. Randall Wilson v. Director et al.
- E-22-183. Mitchell R. Carruth v. Director et al.
- E-22-184. Pearlie Branch v. Director et al.
- E-22-185. Sharvanta White v. Director et al.
- E-22-186. Brenda McDougal v. Director et al.
- E-22-187. Elmo Porchia v. Director et al.
- E-22-188. Teresia Cunningham v. Director et al.

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CASES SUBMITTED

E-22-189. Watheda Hollis v. Director et al.

E-22-190. Derrick Williams v. Director et al.

E-22-191. Cassandra Greer v. Director et al.

E-22-192. Rosalyn Reed v. Director et al.

E-22-193. Donald Tooke v. Director et al.

E-22-194. Donald Tooke v. Director et al.