

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 26, 2023

BRANDON J. HARRISON, CHIEF JUDGE:

[CV-21-460](#). Ascentium Capital LLC v. James Marshall, Individually and d/b/a Your Furniture Store, from Pulaski County Circuit Court, Fourth Division. Affirmed. Gladwin and Wood, JJ., agree.

BART F. VIRDEN, JUDGE:

[CV-22-398](#). Salem Place Nursing and Rehabilitation Center, Inc.; Nursing Consultants, Inc.; and Michael Morton v. Vicky Diane Jefferson, as Special Administratrix of the Estate of Rhonda Lynn Jefferson, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Rhonda Lynn Jefferson, from Faulkner County Circuit Court. Reversed and remanded. Thyer and Hixson, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-22-654](#). Debert Morgan v. State of Arkansas, from Hot Spring County Circuit Court. Affirmed. Harrison, C.J., and Wood, J., agree.

N. MARK KLAPPENBACH, JUDGE:

[CV-21-291](#). Sex Offender Assessment Committee v. Steven A. Sera, from Pulaski County Circuit Court, Fourth Division. Circuit court order reversed; administrative agency decision affirmed. Barrett, J., agrees. Brown, J., concurs.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-22-293](#). Nicolas Lelieur v. State of Arkansas, from Conway County Circuit Court. Remanded to settle and supplement the record. Klappenbach and Brown, JJ., agree.

CINDY GRACE THYER, JUDGE:

[CR-22-627](#). Cameron Virgil v. State of Arkansas, from Faulkner County Circuit Court. Dismissed. Virden and Hixson, JJ., agree.

WENDY SCHOLTENS WOOD, JUDGE:

[CR-22-422](#). Charles Burnett v. State of Arkansas, from Conway County Circuit Court. Affirmed. Harrison, C.J., and Gladwin, J., agree.

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KENNETH S. HIXSON, JUDGE:

[CV-22-332](#). Scott Bockholt v. State of Arkansas, Office of Child Support Enforcement, ex rel. Addie Celesta Bockholt, from Benton County Circuit Court. Appeal dismissed. Virden and Thyer, JJ., agree.

MIKE MURPHY, JUDGE:

[CV-22-277](#). Thomas Spoon and Maria Spoon v. Chester Lee Bolds and Linda Bolds, from Pulaski County Circuit Court, Seventeenth Division. Affirmed. Abramson and Gruber, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-22-759](#). Justin Lawrence v. State of Arkansas, from Pope County Circuit Court. Affirmed. Klappenbach and Barrett, 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-22-146. Alicia Brewer v. Director et al.

E-22-147. Victor Whyte v. Director et al.

E-22-149. Michael Bussey v. Director et al.

E-22-150. Larry Jackson, Jr. v. Director et al.

E-22-151. Rosalind Howard v. Director et al.

E-22-152. Joshua Beal v. Director et al.

E-22-153. Joshua Beal v. Director et al.

E-22-154. Joshua Beal v. Director et al.

E-22-155. Joshua Beal v. Director et al.

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- E-22-156. Joshua Beal v. Director et al.
- E-22-158. Armondo Cason v. Director et al.
- E-22-159. Tammy Riche v. Director et al.
- E-22-161. Teresa Taylor v. Director et al.
- E-22-162. Teresa Taylor v. Director et al.
- E-22-163. Jain Sutton v. Director et al.
- E-22-164. Ashley Larkan v. Director et al.
- E-22-165. Jody Knight v. Director et al.
- E-22-168. Carl Stewart, Jr. v. Director et al.
- E-22-169. Jay Taylor, Jr. v. Director et al.
- E-22-170. Michael Heard v. Director et al.

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PER CURIAM ORDERS

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

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 is denied. Klappenbach, J., not participating.

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 is granted. Allowed \$2,250.

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

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 is granted. Allowed \$2,250. Virden, J., not participating.

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 is granted. Allowed \$2,250.

CR-22-701. Jason Baxter v. State of Arkansas, from White County Circuit Court. Appellant's motion to accept belated brief is granted. Tendered appellant's brief filed this date.

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CR-22-777. Brendan Burns v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's motion to file belated supplemental record is granted. Tendered supplemental record filed this date. Klappenbach, J., not participating.

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 is granted. Thyer, J., not participating.

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 is granted. Virden, J., not participating.

CV-22-275. Jimmy Dion Bardin v. Margaret Bardin, from Ashley County Circuit Court. Letter notifying court of death of counsel is noted. Gruber, J., not participating.

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 is treated as a motion to remand to settle the record and is granted.

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 is granted. Klappenbach, J., not participating.

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

E-23-148. Sandra Cloinger v. Director et al., from the Arkansas Board of Review. Petitioner's motion to file belated appeal is denied. Abramson, Gruber, and Hixson, JJ., not participating.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-20-322. Holly Wood, John Wood, and Tara Capital, LLC v. Ladimer Alkhaseh; Gloria Peterson, Benton County Collector; Tommy Land, Commissioner of State Lands; and Dawn Hill Townhouse and Condominium Property Owners Association, Inc., from Benton County Circuit Court.

E-22-122. Sharon Smith v. Director et al., from the Arkansas Board of Review.

CR-22-278. Jimmy Standridge v. State of Arkansas, from Miller County Circuit Court. Motion of David Dunagin for attorney's fee.

CR-22-278. Jimmy Standridge v. State of Arkansas, from Miller County Circuit Court. Motion of Craig Lambert for entry of appearance on behalf of the appellant.

CR-22-278. Jimmy Standridge v. State of Arkansas, from Miller County Circuit Court. Appellant's motion for access to trial transcript.

CR-23-206. Richard McClure v. State of Arkansas, from Clark County Circuit Court. Appellant's pro se motion for appointment of counsel.

CV-22-11. American Insurance Company v. Red Apple Enterprises Limited Partnership; United Resorts, Inc.; and Richard H. Upton, from Cleburne County Circuit Court. Appellant's motion for limited stay of enforcement of judgments on appeal pending appellant's filing of supersedeas bond.

CV-22-139. Michael Sean Mullenix v. Jennifer Mayberry, from Garland County Circuit Court. Appellant's motion to release supersedeas bond.

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 Joshua C. Ashley to withdraw as counsel for the appellees.

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CV-22-429. Tony Dale Wagoner, Co-Trustee of the Wagoner Family Trust Dated May 24, 1995 v. Patricia Ann Wagoner, Co-Trustee; Ginger Lee Treece, Co-Trustee; Clarence Guinn, CPA, Co-Trustee; Terry Ann Deans, Co-Trustee; Bill Watkins; Ralph Williams; and Craig Campbell, from Benton County Circuit Court. Appellant's ex parte motion for temporary injunctive relief.

CV-22-532. William N. Gillison Revocable Trust v. William W. Bunker and Claudia M. Bunker Joint Revocable Trust, from Chicot County Circuit Court. Motion of Joshua C. Ashley to withdraw as counsel for appellee.

CV-22-555. Shawnta Parker v. The Reliable Life Insurance Company, from Phillips County Circuit Court. Appellant's status report.

CV-22-555. Shawnta Parker v. The Reliable Life Insurance Company, from Phillips County Circuit Court. Appellee's status report.

CV-22-789. Angela R Styles v. James D. Styles, from Pope County Circuit Court. Appellee's motion to dismiss.

CV-23-104. (In the Matter of the Estate of Jacob Minett, Deceased) Holly Wood v. Sara Barlar, as Personal Representative of the Estate of Jacob Minett, Deceased, from Faulkner County Circuit Court. Motion of McKenzie R. Macy to withdraw as counsel for the appellee.

CV-23-139. The Dental Clinic at Stuttgart, Inc.; Montgomery Heathman, D.D.S.; and CMB Holdings, LLC v. James L. Fish, D.D.S., LLC; and James L. Fish, D.D.S., from Arkansas County Circuit Court, Northern District. Motion of Guy Murphy and Sam Patterson to withdraw as counsel for appellees.

CV-23-212. Jim R. Nash v. John Nash, Jr., and Pam Glover Nash, from Pulaski County Circuit Court, Third Division. Appellant's pro se motion to correct the record.

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CASES SUBMITTED

CR-22-341. Nahaman Castillo v. State of Arkansas, from Conway County Circuit Court.

CR-22-729. Anthony Ramon Simmons v. State of Arkansas, from Jefferson County Circuit Court.

CR-22-743. Timothy Burton v. State of Arkansas, from Saline County Circuit Court.

CV-22-75. Crawford Operations, LLC, d/b/a Valley Springs Rehabilitation and Health Center; Crawford Progressive Eldercare Services, Inc., d/b/a Valley Springs Rehabilitation and Health Center; Procure Therapy Services, LLC; Healthsouth Home Health Services of Arkansas, PRN, Inc.; and Encompass Health Rehabilitation Hospital of Fort Smith, LLC v. Crystal Davis, Personal Representative of the Estate of Grace B. Perryman, Deceased, from Crawford County Circuit Court.

CV-22-148. Derrick Richardson v. Janet Caldarera Richardson, from Sebastian County Circuit Court, Fort Smith District.

CV-22-218. McDermott Brandon Properties, LLC v. Elizabeth Wheeler, from Faulkner County Circuit Court.

CV-22-318. James Corter v. Nakisha Corter, from Independence County Circuit Court.

CV-22-367. J. Alvin Lee Farms, LLC; and John Alvin Lee, Jr. v. CNH Industrial Capital America LLC, from Pulaski County Circuit Court, Eleventh Division.

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.

CV-22-427. Kevin Johnson v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

CV-22-793. Richard Reynolds v. Arkansas Department of Human Services and Minor Child, from Van Buren County Circuit Court.

CV-22-794. Richard Reynolds v. Arkansas Department of Human Services and Minor Children, from Van Buren County Circuit Court.

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CASES SUBMITTED

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

E-22-195. Christy Scruggs v. Director et al.

E-22-196. Tiffany Evans v. Director et al.

E-22-197. Abrianna Wilbourn v. Director et al.

E-22-198. Betty Wright v. Director et al.

E-22-199. Debra Wesley v. Director et al.

E-22-200. Debra Wesley v. Director et al.

E-22-201. Donna Woolfolk v. Director et al.

E-22-202. Charles Smith v. Director et al.

E-22-203. Kathern Rush v. Director et al.

E-22-204. Gerald Cowell v. Director et al.

E-22-205. Dashannon Dorn v. Director et al.

E-22-206. Dashannon Dorn v. Director et al.

E-22-207. Dashannon Dorn v. Director et al.

E-22-208. Dashannon Dorn v. Director et al.

E-22-209. Leslie Swafford v. Director et al.

E-22-210. Stacey Goyne v. Director et al.

E-22-211. Toccara Ford v. Director et al.

E-22-212. Marilyn Thomas v. Director et al.

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E-22-213. Joshua Torrence v. Director et al.

E-22-214. Angela Goodwin v. Director et al.

E-22-215. Angela Goodwin v. Director et al.

E-22-216. Lisa Ponzer v. Director et al.

E-22-217. Tessa Rosamond v. Director et al.

E-22-245. Marilyn Thomas v. Director et al.