

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**BART F. VIRDEN, JUDGE:**

[CV-20-628](#). William Angel, Patricia Belk, Dorothy Brown, Robert Brown, Anthony Buggs, Jean Carter, Alberta Cartwright, Eugene Cartwright, Frances Louise Crawford, Beatrice Eaton, Queen Ester Ross, Pearlie Franklin, Rosetta Fuller, Verna Hickey, Barbara Marshall, Shamekia Marshall, Nathaniel Martin, Linda Sanders, Bobby Lee Smith, Felisa Stokes, Kattie Mae Taylor, Fannie Lee Washington, Martha Washington, Gloria Webster, and Claude Wilborn v. Helena Renaissance 1, L.P.; Pioneer Property Management, Inc.; Gail Wade; and Cornelius Borum, from Phillips County Circuit Court. Affirmed in part; reversed and remanded in part. Thyer and Hixson, JJ., agree.

[E-22-264](#). Jeremy Johnson v. Director, Division of Workforce Services, from the Arkansas Board of Review. Affirmed in part; remanded in part. Harrison, C.J., and Abramson, J., agree.

**ROBERT J. GLADWIN, JUDGE:**

[CR-22-773](#). David Feltner v. State of Arkansas, from Pope County Circuit Court. Affirmed. Klappenbach and Gruber, JJ., agree.

[E-22-246](#). Nancy Griffin v. Director, Department of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Klappenbach and Gruber, JJ., agree.

**N. MARK KLAPPENBACH, JUDGE:**

[CV-22-166](#). John Wesley Hall Jr. and Alison Hall, Husband and Wife v. Arkansas State Highway Commission, from Cleburne County Circuit Court. Reversed and remanded. Gladwin and Gruber, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CV-21-35](#). Ellen C. Rogers v. Rebecca Loeffel Kemp, from Pulaski County Circuit Court, Sixteenth Division. Affirmed. Gladwin and Klappenbach, JJ., agree.

[E-22-249](#). CFO Network, LLC v. Director, Department of Workforce Services; and Yolanda Aikens, from the Arkansas Board of Review. Dismissed. Gladwin and Klappenbach, JJ., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**STEPHANIE POTTER BARRETT, JUDGE:**

[CV-22-641](#). Estefanya Garcia Huerta v. Marco Polo Davila Delgado, from Arkansas County Circuit Court, Northern District. Reversed and remanded. Thyer and Wood, JJ., agree.

**CINDY GRACE THYER, JUDGE:**

[CV-22-270](#). (In the Matter of the Estate of Adolph Johnson) Stephanie Johnson, Individually; and Gwendolyn Akins, as Her Next Friend v. Felecia Parker-Green, from Pulaski County Circuit Court, Thirteenth Division. Affirmed. Barrett and Wood, JJ., agree.

[CR-22-644](#). Tyler Austin Lucas v. State of Arkansas, from Ashley County Circuit Court. Reversed and dismissed. Klappenbach, Wood, and Hixson, JJ., agree. Abramson and Gladwin, JJ., dissent.

**WENDY SCHOLTENS WOOD, JUDGE:**

[CV-22-168](#). Portfolio Recovery Associates, LLC v. Pamela R. Barnes, from Pulaski County Circuit Court, Seventeenth Division. Dismissed without prejudice. Barrett and Thyer, JJ., agree.

**KENNETH S. HIXSON, JUDGE:**

[CR-22-258](#). Christopher Burns v. State of Arkansas, from Hot Spring County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

**MIKE MURPHY, JUDGE:**

[CR-22-423](#). Jordan Jones v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Reversed and remanded. Hixson and Brown, JJ., agree.

[CV-22-491](#). Kristian Nelson v. Eric Fullerton, from Pulaski County Circuit Court, Seventeenth Division. Affirmed. Hixson and Brown, JJ., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**WAYMOND M. BROWN, JUDGE:**

[CV-21-252](#). James Young v. Little Rock Water Reclamation Authority; and Greg Ramon, in His Official Capacity, from Pulaski County Circuit Court, Fifth Division. Affirmed. Hixson and Murphy, 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-22-244. Marcus Walker v. Director et al.

E-22-247. Ollie Leonadus Reddick, Jr. v. Director et al.

E-22-248. Victor Smith v. Director et al.

E-22-250. Ray Stuard v. Director et al.

E-22-251. Ronald Jones v. Director et al.

E-22-252. Roy Gustafson v. Director et al.

E-22-253. Kiara Moore v. Director et al.

E-22-254. Kiara Moore v. Director et al.

E-22-255. Kiara Moore v. Director et al.

E-22-256. Dennard Turner v. Director et al.

E-22-257. Elaine Bell v. Director et al.

E-22-258. Jodie Bain v. Director et al.

E-22-259. Laura Thomas v. Director et al.

E-22-260. Laura Thomas v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

E-22-261. Shaneika Jackson v. Director et al.

E-22-262. Shaneika Jackson v. Director et al.

E-22-263. Shaneika Jackson v. Director et al.

E-22-265. Judy Lindblom v. Director et al.

E-22-266. Nickolas Turner v. Director et al.

E-22-272. Eddie VanMeter v. Director et al.

E-22-332. Jodie Bain v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**PER CURIAM ORDERS**

CR-18-542. Victor Hugo Alvarez-Real v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion to reinstate appeal and to file belated brief is denied. Gruber, Barrett, and Brown, JJ., would grant.

CR-18-542. Victor Hugo Alvarez-Real v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for appointment of counsel is moot.

CR-18-542. Victor Hugo Alvarez-Real v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for copy of record on appeal at state's expense is moot.

CR-22-128. William Mosley III v. State of Arkansas, from Columbia County Circuit Court. Motion of Ben Motal for attorney's fees is granted. Allowed \$2,250.

CR-22-311. Rayterius Howard v. State of Arkansas, from Crittenden County Circuit Court. Motion of Lisa-Marie Norris for award of attorney's fees and costs is granted. Allowed \$2,250. Thyer, J., not participating.

CR-22-472. Orlando Daniels v. State of Arkansas, from Crittenden County Circuit Court. Motion of Bart Ziegenhorn for attorney's fees is granted. Allowed \$2,250. Thyer, J., not participating.

CR-22-473. Wynton Erby v. State of Arkansas, from Garland County Circuit Court. Motion of Michael Kiel Kaiser for fees is granted. Allowed \$2,250. Klappenbach, J., not participating.

CR-22-587. Lamarius Curry v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$2,250. Virden, J., not participating.

CR-22-653. Darryl Williams v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$2,250.

CR-22-741. Mark D. Curtis v. State of Arkansas, from Ashley County Circuit Court. Motion of Gary W. Potts for costs and attorney fees is granted. Allowed \$2,250. Virden, J., not participating.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**PER CURIAM ORDERS**

CR-23-28. Cleotis Milton v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion to file a pro se supplemental brief is denied.

CR-23-266. Cecil Sixkiller v. State of Arkansas, from Benton County Circuit Court. Motion of Sam Hall to be relieved as attorney for appellant and stay briefing schedule is moot.

CR-23-266. Cecil Sixkiller v. State of Arkansas, from Benton County Circuit Court. Amended motion of Sam Hall to be relieved as attorney for the appellant and stay briefing schedule is granted. Barrett, J., would deny. Eric Moore is appointed as counsel for the appellant.

CR-23-298. Lee Roy Smith v. State of Arkansas, from Little River County Circuit Court. Appellant's pro se motion for belated appeal is denied.

CR-23-299. Jack Rawlins v. State of Arkansas, from Polk County Circuit Court. Motion of Brandon Crawford to be relieved as counsel, to appoint new counsel, and to stay briefing schedule is granted. Ben Motal is appointed as counsel for the appellant.

CR-23-301. Kris Troy Hanson v. State of Arkansas, from Benton County Circuit Court. Motion of Ray Spruell to be relieved and for substitution of counsel is granted. Lisa-Marie Norris is appointed as counsel for the appellant.

CR-23-313. Billy Culbertson v. State of Arkansas, from Lonoke County Circuit Court. Appellant's pro se motion for belated appeal and current affidavit of indigency is denied.

CV-22-628. (In the Matter of the Adoption of Minor Child) Adam McKirch v. Brian Myers, from Benton County Circuit Court. Appellee's motion for rule on clerk is granted. Tendered appellee's brief filed this date.

CV-23-45. Simon Pockrus v. Kristy Pockrus, from Benton County Circuit Court. Appellee's motion to dismiss appeal is denied. Harrison, C.J., and Gruber, Thyer, Murphy, and Brown, JJ., would grant.

CV-23-45. Simon Pockrus v. Kristy Pockrus, from Benton County Circuit Court. Appellee's motion for extension of time to file appellee's brief pending decision on motion to dismiss is granted.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**PER CURIAM ORDERS**

CV-23-45. Simon Pockrus v. Kristy Pockrus, from Benton County Circuit Court. Appellant's motion for extension of time to file response to motion to dismiss appeal is moot.

CV-23-145. Robert Louis Smith v. Sheri Payne, from Garland County Circuit Court. Appellant's motion to stay proceedings or remand to supplement record and for leave to file an amended brief is granted.

CV-23-145. Robert Louis Smith v. Sheri Payne, from Garland County Circuit Court. Appellant's motion to stay reply brief deadline is granted.

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

CV-23-304. Dwight W. Smith, Jr. v. John McKisick and Christal Cole, from Pulaski County Circuit Court, Sixteenth Division. Appellant's pro se petition for leave to proceed in forma pauperis is denied.

CV-23-305. Christal Cole v. John McKisick, from Pulaski County Circuit Court, Sixteenth Division. Appellant's pro se petition for leave to proceed in forma pauperis is denied.

CV-23-307. Ayisha Freedman v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Appellant's motion for belated appeal is granted.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CV-21-460. Ascentium Capital LLC v. James Marshall, Individually and d/b/a Your Furniture Store, from Pulaski County Circuit Court, Fourth Division.

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

\*\*\*\*\*

CR-22-370. Charlie Morris v. State of Arkansas, from Crawford County Circuit Court. Motion of Charles Hancock for award of attorney's fees.

CR-22-377. Michael Davis v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion to reconsider oral argument request.

CR-22-391. Dottie Trudo v. State of Arkansas, from Crawford County Circuit Court. Motion of Laura Avery for attorney fees.

CR-22-474. Minor Child v. State of Arkansas, from Benton County Circuit Court. Motion of Glenn Larkin for attorney's fees.

CR-22-563. James Ray Sanderson v. State of Arkansas, from Lonoke County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees.

CR-22-629. Nicholas Burris v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney's fees.

CR-22-723. Tevin Randle v. State of Arkansas, from Phillips County Circuit Court. Motion of Michael Kiel Kaiser for fees.

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-22-778. Lloyd Barber, Jr. v. State of Arkansas, from St. Francis County Circuit Court. Appellant's petition for writ of certiorari to complete the record and stay of briefing schedule.



**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**MOTIONS SUBMITTED**

CR-23-113. Angela Downing v. State of Arkansas, from Conway County Circuit Court. Appellant's motion for extension of time to file record.

CR-23-191. Gene Jackson v. State of Arkansas, from Benton County Circuit Court. Appellant's motion to extend deadline to file supplemental record.

CV-22-819. Kaylee Cathcart v. Charles Darwin "Skip" Davidson; J. Blake Hendrix; Annie Depper; and Fuqua Campbell, PA, from Pulaski County Circuit Court, Fifth Division. Appellant's motion for leave to file separate reply briefs addressing each of the briefs filed by separate appellees, for an order setting the word limitation for each reply brief and for additional brief time pending this court's order.

CV-23-114. Barbra Davis, Individually, and as Personal Representative of the Estate of Alex Davis, Deceased v. Jefferson Hospital Association, Inc., d/b/a Jefferson Regional Medical Center; Jefferson Regional Medical Center Preferred Provider Organization; Steven H. Wright, M.D.; Ayman Abdul Hameed Alshami, M.D.; and Mai Salah Abd-Alqader, M.D., from Jefferson County Circuit Court. Motion of separate appellee Ayman Abdul Alshami to remove David P. Glover and Laura Bates as counsel of record in appeal proceedings.

CV-23-280. Malik Muntaqim v. Dexter Payne, Director, Arkansas Department of Correction; Raymond Naylor, Disciplinary Hearing Administration, Arkansas Department of Correction; Nurzuhal Faust, Warden, Arkansas Department of Correction; Wendy Kelley, Director, Arkansas Department of Correction; and Captain Joshua E. Crosby, Corporal Aaron T. Hisek, Sergeant Cheiana Sykes, Corporal Esmerelda Fraire, and Daniel Wayne Golden, Disciplinary Hearing Officers, Arkansas Department of Correction, from Jefferson County Circuit Court. Appellees' motion to revoke appellant's in forma pauperis status.

E-23-22. Lesley Overholser v. Director, Division of Workforce Services, from the Arkansas Board of Review. Appellee's motion to dismiss appeal.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**CASES SUBMITTED**

- CR-22-144. Michael Carr v. State of Arkansas, from Drew County Circuit Court.
- CR-22-263. Jeremy Durkin v. State of Arkansas, from Crawford County Circuit Court.
- CR-22-269. Martha Hughes v. State of Arkansas, from Hot Spring County Circuit Court.
- CR-22-481. Carl Skaggs v. State of Arkansas, from Franklin County Circuit Court, Northern District.
- CR-22-483. Carl Skaggs v. State of Arkansas, from Johnson County Circuit Court.
- CR-22-583. Albert B. Mitchell v. State of Arkansas, from Garland County Circuit Court.
- CR-22-691. Jonathan Hodnett v. State of Arkansas, from Pope County Circuit Court.
- CR-22-810. Brandy L. Hardin v. State of Arkansas, from Columbia County Circuit Court.
- CV-22-620. Sarah Stewart v. Arkansas Department of Human Services and Minor Children, from Carroll County Circuit Court, Eastern District.
- CV-22-703. Brian Peterson v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.
- CV-22-709. Stephanie Watts v. Arkansas Department of Human Services and Minor Children, from Clark County Circuit Court.
- CV-22-711. Stephanie Watts v. Arkansas Department of Human Services and Minor Child, from Clark County Circuit Court.

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

- E-22-283. Misty Giles v. Director et al.
- E-22-285. Misty Giles v. Director et al.
- E-22-286. Don Dye v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 24, 2023**

**CASES SUBMITTED**

- E-22-287. Lisa Chambers v. Director et al.
- E-22-288. Sandra Smith v. Director et al.
- E-22-289. Sandra Smith v. Director et al.
- E-22-290. Cassandra White v. Director et al.
- E-22-291. Damaris Gibbs v. Director et al.
- E-22-292. Lisa Mausser v. Director et al.
- E-22-293. Amber Crawford v. Director et al.
- E-22-294. Julia Smith v. Director et al.
- E-22-297. Kelly Anderson v. Director et al.