

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF JANUARY 24, 2024

BRANDON J. HARRISON, CHIEF JUDGE:

[CR-22-732](#). Shawn Edward Smart v. State of Arkansas, from Independence County Circuit Court. Affirmed. Barrett, J., agrees. Klappenbach, J., concurs without opinion.

[CV-23-459](#). Mikayla Mitchell v. Arkansas Department of Human Services and Minor Child, from Logan County Circuit Court, Southern District. Affirmed; motion to withdraw granted. Gladwin and Hixson, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-23-314](#). Amanda Echelbarger v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Harrison, C.J., and Hixson, J., agree.

BART F. VIRDEN, JUDGE:

[E-22-438](#). Ontaria Jackson v. Director, Division of Workforce Services, from the Arkansas Board of Review. Reversed and dismissed. Gladwin and Wood, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-23-217](#). Steven Brazil v. Julie Goggins Brazil, from Saline County Circuit Court. Affirmed. Virden and Wood, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CV-22-725](#). Hamilton Mitchell, as Trustee of the Bankruptcy Estate of Jaslyn Deans v. James Strayhorn, from Washington County Circuit Court. Affirmed. Barrett and Murphy, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-23-80](#). Detraveone Simmons v. State of Arkansas, from Drew County Circuit Court. Affirmed. Thyer and Brown, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 24, 2024

STEPHANIE POTTER BARRETT, JUDGE:

[CV-23-494](#). Charles Allen Kirtley v. Arkansas Department of Human Services and Minor Child, from Lonoke County Circuit Court. Affirmed; motion to withdraw granted. Murphy and Brown, JJ., agree.

[CV-23-503](#). Marel Torres-Pacheco v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Klappenbach and Murphy, JJ., agree.

[E-22-557](#). Katherine James v. Director, Division of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Klappenbach and Murphy, JJ., agree.

CINDY GRACE THYER, JUDGE:

[CV-23-213](#). Emily Sutton v. Jordan Falci, from Washington County Circuit Court. Affirmed. Gruber and Brown, JJ., agree.

[E-22-404](#). Stacy Bridges v. Director, Division of Workforce Services, from the Arkansas Board of Review. Affirmed in part; remanded in part. Gruber and Brown, JJ., agree.

WENDY SCHOLTENS WOOD, JUDGE:

[CR-23-361](#). Curtis Pittman v. State of Arkansas, from Lincoln County Circuit Court. Affirmed. Virden and Gladwin, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-23-193](#). Marty Lane Taylor and Angie Taylor v. Estate of Rose Ann Lewis, from Montgomery County Circuit Court. Motion to dismiss granted; appeal and cross-appeal dismissed without prejudice. Harrison, C.J., and Abramson, J., agree.

MIKE MURPHY, JUDGE:

[CR-23-215](#). Michael Stewart v. State of Arkansas, from Clark County Circuit Court. Affirmed; motion to withdraw granted. Barrett and Brown, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 24, 2024

MIKE MURPHY, JUDGE: (continued)

[CV-20-606](#). Jody Underwood, Individually and as a Shareholder and Member of Conway Precision Products, Inc. v. Jeffrey S. Underwood and Conway Precision Products, Inc, from Faulkner County Circuit Court. Appellant’s/cross-appellee’s partial motion to dismiss denied; appellees’/cross-appellants’ partial motion to dismiss granted; reversed and remanded on direct appeal; affirmed on cross-appeal. Barrett and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-23-83](#). Keithan Wayne Jackson v. State of Arkansas, from Pike County Circuit Court. Affirmed. Gruber and Thyer, JJ., agree.

PER CURIAM DECISIONS

The following case appealed from the Arkansas Board of Review is affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).

E-22-540. Diane McPherson v. Director et al.

E-22-541. Diane McPherson v. Director et al.

E-22-542. Diane McPherson v. Director et al.

E-22-543. Diane McPherson v. Director et al.

E-22-547. Cody Wagner v. Director et al.

E-22-548. Robert Green v. Director et al.

E-22-549. Kiara Andrews v. Director et al.

E-22-550. Jeffrey Lemay v. Director et al.

E-22-551. Mamie Lee v. Director et al.

E-22-552. Diamond Brown v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF JANUARY 24, 2024

- E-22-556. Timothy Davis v. Director et al.
- E-22-562. Phyllisia Loggin v. Director et al.
- E-22-563. Amanda Deweese Ply v. Director et al.
- E-22-564. Stacy Lynette Harris v. Director et al.
- E-22-566. Eddie Nolen v. Director et al.
- E-22-567. Justin Harp v. Director et al.
- E-22-568. Christopher Fischer v. Director et al.
- E-22-569. Christopher Fischer v. Director et al.
- E-22-570. Christopher Fischer v. Director et al.
- E-22-571. Christopher Fischer v. Director et al.
- E-22-582. Jeffrey Lemay v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF JANUARY 24, 2024

PER CURIAM ORDERS

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

CR-22-583. Albert B. Mitchell v. State of Arkansas, from Garland County Circuit Court.

CV-21-172. Mark Cambiano and Chris Cambiano v. Arkansas Oil and Gas Commission; Flywheel Energy Production, LLC; XTO Energy Inc.; and Merit Energy Company, LLC, from Conway County Circuit Court. Virden, J., not participating.

CR-22-268. Mikato Fulks v. State of Arkansas, from Washington County Circuit Court. Motion of Ben Motal for attorney's fees is granted. Allowed \$2,250.

CR-22-566. Randy Hyatt v. State of Arkansas, from Grant County Circuit Court. Motion of Gregory Crain for fees is granted. Allowed \$2,250.

CR-23-285. Todd Menard v. State of Arkansas, from Garland County Circuit Court. Appellant's motion for leave to amend reply brief is granted. Tendered amended reply brief filed this date.

CR-23-567. Lillian Houselog v. State of Arkansas, from Sevier County Circuit Court. Motion of Marsha L. Levick for admission pro hac vice of non-resident attorney and affidavit of resident attorney is granted.

CR-23-657. Patrick Ables v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's motion for extension of time to file brief is granted. Appellant's brief is due February 23, 2024.

CR-23-819. Kathy Hicks v. State of Arkansas, from Faulkner County Circuit Court. Motion of Evan D. Hogue to be relieved as counsel is granted. Rebekah Kennedy is appointed as counsel for the appellant.

CR-24-12. Raul Torres-Garcia v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se petition for leave to file a belated appeal from the denial of post conviction relief with current affidavit of indigency is granted. Klappenbach, J., not participating. Record filed in Arkansas Court of Appeals this date as case No. CR-24-12.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 24, 2024

PER CURIAM ORDERS

CV-23-648. Malik Muntaqim, Carter Pernell, and Quvondo Thrower v. Roosevelt Barden, James Gibson, Joseph Mahoney, Andrea Weekly Culclager, Brandon Carroll, Donald Compton, Scott Taylor, Adam Clark, Dexter Payne, Floria Washington, James Shipman, Marshall Reed, and Bob Parker, from Jefferson County Circuit Court. Pro se motion of separate appellant Malik Muntaqim for voluntary dismissal of appeal without prejudice is granted.

CV-23-679. (In the Matter of the Guardianship of Minor Child) Sandra Andraca v. Patricia Louann Tice, from Pope County Circuit Court. Appellant's motion to consolidate record with record from prior appeal is granted. The appeals are shown as related on the appellate court's docket.

CV-23-842. Jeremy Kennedy v. Arkansas Parole Board, from Izaard County Circuit Court. Appellant's pro se motion for rule on clerk to file the motion for belated appeal without a certified record and to proceed with an appeal of the order without a certified record is moot.

CV-23-842. Jeremy Kennedy v. Arkansas Parole Board, from Izaard County Circuit Court. Appellant's pro se amended motion for rule on clerk to file motion for belated appeal without a certified record and to proceed with an appeal of the order without a certified record is denied. *See Fulton v. State*, 2017 Ark. 105.

CV-24-2. Mohammed A. Yafai v. Sonya H. Alammary, Mahdi Saleh, Abdo Yafai, Mutee Yafai, and Ali Yafai, from Pulaski County Circuit Court, Fourteenth Division. Appellant's motion to complete the record is granted. Gladwin, J., not participating. Writ issued; returnable in thirty days (February 23, 2024). The clerk is directed to set a briefing schedule when the writ is returned and the electronic supplemental record is lodged.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 24, 2024

MOTIONS SUBMITTED

CR-22-746. Rolando Cuevas-Flores v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for leave to file belated brief.

CR-22-791. Daniel McGuire v. State of Arkansas, from Yell County Circuit Court, Northern District. Motion of Matt Kezhaya and Sonia Kezhaya for attorneys' fees.

CR-23-79. Rhonda Lynn Hogue v. State of Arkansas, from Drew County Circuit Court. Appellant's motion for extension of time to file brief.

CR-23-269. Lea Merritt v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney fees.

CV-23-626. Michael Wesley Walters v. The Estate of Christopher Peter Dockman, Deceased, and Deanna Rose Dockman, Individually and in Her Capacity as Executrix of the Estate of Christopher Peter Dockman, from Madison County Circuit Court. Appellees' motion to dismiss appeal.

CV-23-642. Cody Wayne Elkins and Cherokee Nation v. Minor Child and Arkansas Department of Human Services, from Sebastian County Circuit Court, Fort Smith District. Motion of separate appellant Cody Elkins to strike DHS letter and to deem DHS as having filed no response to Cody Elkins's appeal.

CV-23-707. Kara McMillan v. Tina McMillan, from Saline County Circuit Court. Appellee's motion to advance and affirm and for Rule 11 sanctions.

CV-23-742. Bo Bradley and Carl Baldwin v. Cody Lloyd, from Cross County Circuit Court. Motion of Michael L. Ladd to withdraw as attorney for appellee.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF JANUARY 24, 2024

CASES SUBMITTED

CR-23-48. Tristen Waller v. State of Arkansas, from Union County Circuit Court.

CR-23-188. Scott Severance v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-23-299. Jack Rawlins v. State of Arkansas, from Polk County Circuit Court.

CR-23-320. Justin Anderson v. State of Arkansas, from Hot Spring County Circuit Court.

CV-22-554. Paul E. Gunn d/b/a Paul E. Gunn & Associates Consulting v. Steve Wortman, from Pulaski County Circuit Court, Sixteenth Division.

CV-22-730. Robbie Zaragoza v. Susan McDonald and Sam McDonald, from Benton County Circuit Court.

CV-22-763. David Owen v. Cami Owen, from Baxter County Circuit Court.

CV-23-109. Darlette Ewing v. Lea Schmalz, from Logan County Circuit Court, Northern District.

CV-23-534. Shannon Hall-Elliott and Travis Wise v. Arkansas Department of Human Services and Minor Child, from Lonoke County Circuit Court.

CV-23-560. Jessica Edwards and Gary Tacker v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District.

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

E-22-484. Tijuana Webster v. Director et al.

E-22-572. Tammie Skaggs v. Director et al.

E-22-573. Otto Mullins v. Director et al.

E-22-574. Lakeidra Phillips v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF JANUARY 24, 2024

CASES SUBMITTED

- E-22-576. David Lee Sanders v. Director et al.
- E-22-577. James Turner v. Director et al.
- E-22-579. Kathryn Robinson v. Director et al.
- E-22-580. Courtney Deadner v. Director et al.
- E-22-581. Landon Catlett v. Director et al.
- E-22-583. Jody Boyd v. Director et al.
- E-22-584. Henry Spellman v. Director et al.
- E-22-585. Latonya Donahue v. Director et al.
- E-22-586. Stephanie Morgan v. Director et al.
- E-22-587. Brian Qualls v. Director et al.
- E-22-588. Jesus A. Sandoval v. Director et al.
- E-22-589. Robert J. Gage v. Director et al.
- E-22-590. Christopher Smith v. Director et al.
- E-22-591. Alba Valladares v. Director et al.
- E-22-593. Jordan Walker v. Director et al.
- E-22-594. Jordan Walker v. Director et al.
- E-22-595. Jordan Walker v. Director et al.
- E-22-596. Jordan Walker v. Director et al.
- E-22-598. Melina Wilson v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF JANUARY 24, 2024

CASES SUBMITTED

- E-22-599. Jean Wimbley v. Director et al.
- E-22-600. Jean Wimbley v. Director et al.
- E-22-602. Jaban Fraction v. Director et al.
- E-22-603. Michelle Tobin v. Director et al.
- E-22-608. Angela Rice v. Director et al.
- E-22-609. Max Wagner v. Director et al.
- E-22-611. Thomas Dunn v. Director et al.
- E-22-616. Thomas Dunn v. Director et al.
- E-22-617. Thomas Dunn v. Director et al.
- E-22-619. Thomas Dunn v. Director et al.
- E-22-620. Thomas Dunn v. Director et al.
- E-22-621. Thomas Dunn v. Director et al.
- E-22-622. Thomas Dunn v. Director et al.
- E-22-627. Stephanie Stark v. Director et al.
- E-22-694. Cheryl Pillow v. Director et al.