

Cite as 2024 Ark. App. 61  
**ARKANSAS COURT OF APPEALS**  
DIVISION II  
No. CV-22-109

JOHN WESLEY TIPPIT

APPELLANT

Opinion Delivered January 31, 2024

V.

CHARLOTTE DAVIS F/K/A  
CHARLOTTE TIPPIT

APPELLEE.

APPEAL FROM THE CLAY  
COUNTY CIRCUIT COURT,  
WESTERN DISTRICT  
[NO. 11CDR-21-56]

HONORABLE DAN RITCHEY, JUDGE

AFFIRMED

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**STEPHANIE POTTER BARRETT, Judge**

John Wesley Tippit (“Tippit”), appellant, appeals the consolidated decision of the Circuit Court of Clay County authorizing the garnishment of funds that were to be distributed to him in probate from the estate of Lois Irene Waymon (“Waymon Estate”). The circuit court ordered Tippit’s funds from the Waymon Estate to be paid to Charlotte Davis f/k/a Charlotte Tippit (“Davis”), appellee, pursuant to two foreign contempt orders Davis registered before the circuit court. Tippit appeared pro se, objected to the garnishment, and claimed he had paid the arrearages due to Davis. The circuit court found that Davis had properly filed and registered her two foreign judgments, found that proper notice had been provided to Tippit, and authorized the garnishment of both judgments against Tippit’s interest in the probate estate. It is from this order that Tippit instituted the present appeal. We affirm.

Davis filed two separate applications for registration of a foreign judgment in the Clay County Circuit Court in case numbers 11CDR-21-55 and 11CDR-21-56. In case number 11CDR-21-55, Davis filed an application for registration of an October 1, 2014, foreign judgment against Tippit for support maintenance arrearages. In case number 11CDR-21-56, which is the subject of this appeal, Davis filed an application for registration of a December 1, 2015, foreign judgment against Tippit for support maintenance arrearages. Although filed in separate actions and without a written order, the circuit court consolidated the cases for consideration and conducted one hearing. The circuit court entered a consolidated order authorizing the garnishment of funds as requested in both 11CDR-21-55 and 11CDR-21-56 that were to be allocated to Tippit from the distribution of the Waymon Estate. The circuit court found that Davis had properly filed and registered her two foreign judgments and Tippit received proper notice of the same. Tippit filed separate appeals in CV-22-108 and CV-22-109 on May 18, 2022. Today, we also hand down an opinion in the companion case, CV-22-108. See *Tippit v. Davis*, 2024 Ark. App. 60.

In Clay County Circuit Court case number 11CDR-21-56, Davis filed an application for registration of a December 2015 foreign judgment from Madison County, Illinois, case number 12-D-1099 (“2015 order”), in the amount of \$7,085 against Tippett. An affidavit of name and address of defendant and certificate of service was attached to the application. A certified copy of the 2015 contempt order was attached as exhibit A to Davis’s application. Davis asserted in her application that there had been no payments reducing the amount of the judgment. Davis sought execution, garnishment, and enforcement of the foreign

judgment pursuant to Ark. Code Ann. § 16-66-601 (Repl. 2005). The 2015 contempt order was entered against Tippit finding that he was in arrears in making maintenance payments to Davis. The order found that Tippit was in indirect contempt of the court's order and ordered that judgment be entered against Tippit in the amount of \$7,085 plus 8 percent interest. The 2015 order further stated that any further orders concerning current maintenance were withheld.

On September 28, Davis filed a writ of garnishment against, and notice to, Tippit with the Waymon estate, seeking \$10,387.97. The Waymon estate again made a declaration in its answers to allegations and interrogatories that the estate was indebted to Tippit in an undetermined amount. On October 25, Tippit filed the identical pro se objection to the garnishment attaching the same exhibits as those filed in 11CDR-21-55. On November 4, 2021, the circuit court conducted a consolidated hearing on cases 11CDR-21-55 and 11CDR-21-56. The testimony presented at the consolidated hearing is discussed in detail in the companion case, CV-22-108.

The circuit court ruled that it was required to give full faith and credit to the two contempt judgments that had been properly registered as foreign judgments; stated that it did not have sufficient evidence to establish that those judgments had been satisfied; and stated that it would enforce those judgments through valid garnishment claims against Tippit's distribution of the Waymon estate. Tippit timely filed his notice of appeal, which was identical to the notice of appeal he filed in the companion case, CV-22-108.

Tippit makes the same arguments in this appeal as he did in case No. CV-22-108, and the relevant analysis and this court's conclusions are fully set forth in companion case *Tippit v. Davis*, 2024 Ark. App. 60. Accordingly, we affirm for the reasons set forth in that opinion.

Affirmed.

KLAPPENBACH and MURPHY, JJ., agree.

*John Tippitt*, pro se appellant.

*Charlotte Davis*, pro se appellee.