

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 31, 2024

BRANDON J. HARRISON, CHIEF JUDGE:

[CR-23-239](#). Andre Luther Cain v. State of Arkansas, from Garland County Circuit Court. Affirmed; remanded to correct sentencing order. Abramson and Hixson, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CR-23-292](#). Trina Honeycutt v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed; remanded to correct amended sentencing order. Harrison, C.J., and Hixson, J., agree.

[CR-23-294](#). Trina Honeycutt v. State of Arkansas, from Craighead County Circuit Court, Western District. Affirmed; remanded to correct amended sentencing order. Harrison, C.J., and Hixson, J., agree.

BART F. VIRDEN, JUDGE:

[CR-22-818](#). Darrell Cortez Johnson v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Gladwin and Wood, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-22-717](#). Bryan Porras v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Virden and Wood, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-23-232](#). Joseph Dickerson v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Barrett and Murphy, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-22-231](#). Robin Dee Enterprises, Inc. v. Carvin Burns, from Phillips County Circuit Court. Affirmed. Thyer and Brown, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-22-108](#). John Wesly Tippit v. Charlotte Davis f/k/a Charlotte Tippit, from Clay County Circuit Court, Western District. Affirmed. Klappenbach and Murphy, JJ., agree.

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STEPHANIE POTTER BARRETT, JUDGE: (continued)

[CV-22-109](#). John Wesly Tippit v. Charlotte Davis f/k/a Charlotte Tippit, from Clay County Circuit Court, Western District. Affirmed. Klappenbach and Murphy, JJ., agree.

CINDY GRACE THYER, JUDGE:

[CV-23-546](#). Mario Rugama v. Arkansas Department of Human Services and Minor Child, from Yell County Circuit Court, Southern District. Affirmed. Gruber and Brown, JJ., agree.

WENDY SCHOLTENS WOOD, JUDGE:

[CR-23-281](#). George Fowler v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Affirmed; remanded to correct sentencing order. Virden and Gladwin, JJ., agree.

[CV-23-493](#). Paula Robinson and Tyrone Robinson v. Arkansas Department of Human Services and Minor Children, from Greene County Circuit Court. Affirmed. Virden and Gladwin, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-22-357](#). Leticia M. Sanders v. JLP, LLC, from Pulaski County Circuit Court, Seventeenth Division. Affirmed. Harrison, C.J., and Abramson, J., agree.

[CV-23-578](#). Christian Lewis v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court. Affirmed. Harrison, C.J., and Abramson, J., agree.

MIKE MURPHY, JUDGE:

[CR-23-161](#). Matthew Garner v. State of Arkansas, from Izard County Circuit Court. Affirmed. Klappenbach and Barrett, JJ., agree.

[CR-23-457](#). Harry Almond v. State of Arkansas, from Benton County Circuit Court. Affirmed. Klappenbach and Barrett, JJ., agree.

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WAYMOND M. BROWN, JUDGE:

[CR-23-321](#). Jeffery Matlock v. State of Arkansas, from Hot Spring County Circuit Court. Affirmed. Gruber and Thyer, JJ., agree.

[CV-22-533](#). Joshua Glass v. Tanya Glass, from Pulaski County Circuit Court, Thirteenth Division. 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-22-535. Latoya Jackson v. Director et al.

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PER CURIAM ORDERS

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

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 is granted. Allowed \$2,250.

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 is granted. Appellant's brief is due March 1, 2024.

CR-23-269. Lea Merritt v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney fees is granted. Allowed \$2,250.

[CR-23-698](#). Dewayne Van Tilmon v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion to file a belated brief is granted. Klappenbach, Gruber, Thyer, Wood, and Hixson, JJ., would deny. See **dissenting opinion** issued this date. Harrison, C.J., not participating. Tendered appellant's brief filed this date.

CR-23-698. Dewayne Van Tilmon v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion to supplement the record with additional material is denied. Harrison, C.J., not participating.

CR-23-698. Dewayne Van Tilmon v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion of reconsideration for appellant's pro se motion for appointment of counsel is denied. Harrison, C.J., not participating.

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 is granted. Appeal dismissed without prejudice. Gladwin, J., not participating.

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PER CURIAM ORDERS

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 is denied.

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 is passed until the case is submitted.

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 is denied without prejudice. Harrison, C.J., not participating.

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MOTIONS SUBMITTED

CR-22-402. Evan Columbus Anderson v. State of Arkansas, from Benton County Circuit Court. Motion of Andrew R. Miller and Alicia Canfield for attorneys' fees.

CR-22-402. Evan Columbus Anderson v. State of Arkansas, from Benton County Circuit Court. Second motion of Andrew R. Miller and Alicia Canfield for attorneys' fees.

CR-22-424. Douglas Eugene Causey v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion for leave to file belated brief and for brief time.

CR-22-657. Gary Wayne Johnson v. State of Arkansas, from Lonoke County Circuit Court. Motion of Robert M. "Robby" Golden for attorney's fees.

CR-23-245. Hughey Brooks v. State of Arkansas, from Washington County Circuit Court. Motion of Trent T. Thomas for attorney's fees.

CR-23-271. Donald Ray Mouse, Jr. v State of Arkansas, from Benton County Circuit Court. Appellant's motion for acceptance of late filing.

CR-23-278. Jarvis Dillard v. State of Arkansas, from Drew County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-23-606. Jacinto Martinez v. State of Arkansas, from Lonoke County Circuit Court. Appellant's pro se motion to amend brief.

CR-23-606. Jacinto Martinez v. State of Arkansas, from Lonoke County Circuit Court. Appellee's motion to dismiss appeal.

CR-23-610. Courtney Anselmi v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to accept late filing.

CR-23-610. Courtney Anselmi v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to extend time to return writ.

CR-23-782. Assefa Gabriel Egziabher, Jr. v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion to withdraw pursuit of appeal.

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MOTIONS SUBMITTED

CR-23-790. Tremain Huggins v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's pro se motion for reconsideration of the motion for appointment of counsel with current affidavit of indigency.

CR-23-790. Tremain Huggins v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's pro se motion for appointment of counsel.

CR-23-821. Kenneth Steward v. State of Arkansas, from Benton County Circuit Court. Joint motion to substitute counsel.

CR-24-4. Ivan Santos v. State of Arkansas, from Crawford County Circuit Court. Motion of Sonia Kezhaya to supplement counsel of record.

CR-24-16. Joseph Warren v. State of Arkansas, from Faulkner County Circuit Court. Motion of Chris T. Murray to be relieved as counsel for the appellant.

CR-24-39. Kelly Dunning v. State of Arkansas, from Benton County Circuit Court. Appellant's petition for writ of certiorari to complete the record or, in the alternative, motion to remand to settle the record.

CV-23-474. Privilege Underwriters Reciprocal Exchange v. Brandon Adams, from Washington County Circuit Court. Motion of Kelsey McLean to withdraw as counsel for appellant.

CV-23-756. Don L. Kittler, Jr. v. Entergy Arkansas, LLC; and the Arkansas Public Service Commission, from the Arkansas Public Service Commission. Motion of separate appellee Entergy Arkansas, LLC, to dismiss appeal.

CV-23-832. Charity Tarr v. Arkansas State Board of Nursing, from Pulaski County Circuit Court, Seventeenth Division. Appellant's motion to supplement record with hearing transcript.

CV-23-838. First Electric Cooperative Corporation v. Entegrity Energy Partners, LLC; Cal-Maine Foods, Inc.; and the Arkansas Public Service Commission, from the Arkansas Public Service Commission. Appellant's motion for stay and/or supersedeas.

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MOTIONS SUBMITTED

CV-23-838. First Electric Cooperative Corporation v. Entegriy Energy Partners, LLC; Cal-Maine Foods, Inc.; and the Arkansas Public Service Commission, from the Arkansas Public Service Commission. Motion of separate appellees Entegriy Energy Partners, LLC; and Cal-Maine Foods, Inc., to dismiss notice of appeal and petition for review and motion to stay filing of complete record.

CV-23-838. First Electric Cooperative Corporation v. Entegriy Energy Partners, LLC; Cal-Maine Foods, Inc.; and the Arkansas Public Service Commission, from the Arkansas Public Service Commission. Motion of separate appellee Arkansas Public Service Commission to dismiss.

CV-24-25. Cherokee Nation of Oklahoma v. Arkansas Department of Human Services, Minor Child, Heath Burger, and Kari Burger, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion to stay briefing schedule pending mandate in CV-23-642.

CV-24-28. Angela R. Styles v. James D. Styles, from Pope County Circuit Court. Appellant's motion for stay and supersedeas.

E-23-335. Manali Patel v. Director et al., from the Arkansas Board of Review. Respondent's motion to dismiss appeal.

E-23-342. Glenn Gray v. Director et al., from the Arkansas Board of Review. Respondent's motion to dismiss appeal.

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CASES SUBMITTED

CR-23-55. Rickie Nash v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-23-56. Rickie Nash v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-23-190. Demond Davis v. State of Arkansas, from Lonoke County Circuit Court.

CR-23-201. Jermaine S. Lawson v. State of Arkansas, from Clark County Circuit Court.

CR-23-270. Heather Long v State of Arkansas, from Miller County Circuit Court.

CR-23-291. Carl Rorie v State of Arkansas, from Craighead County Circuit Court, Western District.

CR-23-293. Carl Rorie v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-23-296. Tony Stevens v State of Arkansas, from Craighead County Circuit Court, Western District.

CR-23-302. Tony Stevens v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-23-303. Tony Stevens v State of Arkansas, from Craighead County Circuit Court, Western District.

CR-23-445. Derrick Jermaine Nixon v. State of Arkansas, from Desha County Circuit Court.

CR-23-449. Daniel Robert McMahan v. State of Arkansas, from Columbia County Circuit Court.

CV-22-333. Kenneth Coleman Colley II v. Audrey Hamilton (Colley), from Sebastian County Circuit Court, Greenwood District.

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CASES SUBMITTED

CV-22-394. Ben Motal v. John Doe, an Unknown Individual, and State Farm Mutual Automobile Insurance Co., from Pulaski County Circuit Court, Eleventh Division.

CV-22-510. LNH One, LLC, d/b/a Barnes Healthcare; Marsh Pointe Management, LLC; Lindey Clyburn, Individually and as Administrator of LNH One, LLC, d/b/a Barnes Healthcare; and Christopher Brogdon; and John Doe Defendants 1 Through 10 v. Tara Gasper, as Special Administratrix of the Estate of Patty Jane Holder, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Patty Jane Holder, from Lonoke County Circuit Court.

CV-22-528. Southern Forestry and Wildlife, LLC v. James B. Feinman, from Pulaski County Circuit Court, Eleventh Division.

CV-23-4. Ben Motal v. John Doe, an Unknown Individual, and State Farm Mutual Automobile Insurance Company, from Pulaski County Circuit Court, Eleventh Division.

CV-23-62. Jeffrey Parsons v. Virginia Denise Griffin (Parsons), from Saline County Circuit Court.

CV-23-91. Paul Willhite v. Danita Lynn Willhite, from Washington County Circuit Court.

CV-23-92. Paul Willhite v. Cameron Willhite, from Washington County Circuit Court.

CV-23-571. Natalie Jones v. Arkansas Department of Human Services and Minor Child, from Garland County Circuit Court.

CV-23-584. Larry Jackson v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

CV-23-595. Brooke Hall v. Arkansas Department of Human Services and Minor Children, from Miller County Circuit Court.

CV-23-620. Della Lewis (deceased) and Reginald K. Mull v. Arkansas Department of Human Services and Minor Child, from Crittenden County Circuit Court.