

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 21, 2024

BRANDON J. HARRISON, CHIEF JUDGE:

[CV-22-449](#). Phoebe Griffin, M.D. v. Arkansas Healthcare Services, LLC, d/b/a Physicians for Women, from Garland County Circuit Court. Affirmed. Abramson and Hixson, JJ., agree.

[CV-23-120](#). State of Arkansas Office of Child Support Enforcement v. Bernard Milner, from Columbia County Circuit Court. Reversed and remanded. Abramson and Hixson, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-22-100](#). Montana Weiner and Ohana Construction & Property Maintenance, LLC v. Merchant Capital Group, LLC, d/b/a Greenbox Capital, from Benton County Circuit Court. Reversed and remanded. Virden and Thyer, JJ., agree.

BART F. VIRDEN, JUDGE:

[CV-23-65](#). Catherine Powell v. Kavin Powell, from Crawford County Circuit Court. Affirmed. Abramson and Thyer, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CV-22-405](#). The Estate of Charles Daniel, Deceased; and Wilma Sharon Daniel v. The Estate of George Daniel, Deceased; and James Daniel, from Searcy County Circuit Court. Affirmed. Gruber and Barrett, JJ., agree.

N. MARK KLAPPENBACH, JUDGE:

[CR-22-778](#). Lloyd Barber, Jr. v. State of Arkansas, from St. Francis County Circuit Court. Affirmed. Gruber, Barrett, Thyer, and Brown, JJ., agree. Murphy, J., dissents.

[CV-23-45](#). Simon Pockrus v. Kristy Pockrus (now Savold), from Benton County Circuit Court. Dismissed without prejudice. Hixson and Brown, JJ., agree.

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STEPHANIE POTTER BARRETT, JUDGE:

[E-22-623](#). George Mason v. Director, Division of Workforce Services, from the Arkansas Board of Review. Remanded to settle and supplement the record. Gladwin and Gruber, JJ., agree.

[E-22-625](#). Mytear Berkhalter v. Director, Division of Workforce Services; and Arkansas Building Services, LLC, from the Arkansas Board of Review. Remanded to settle and supplement the record. Gladwin and Gruber, JJ., agree.

CINDY GRACE THYER, JUDGE:

[CR-23-214](#). Kevin Green v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Abramson and Virden, JJ., agree.

[CV-23-109](#). Darlette Ewing v. Lea Schmalz, from Logan County Circuit Court, Northern District. Affirmed in part; dismissed in part. Gruber and Brown, JJ., agree.

WENDY SCHOLTENS WOOD, JUDGE:

[CV-22-140](#). Clarence E. Turnbo, Individually and as Trustee of Beau Turnbo Trust Number One v. Oscar Hamlett, Jr., from Pulaski County Circuit Court, Fifth Division. Affirmed. Harrison, C.J., and Murphy, J., agree.

KENNETH S. HIXSON, JUDGE:

[CR-23-448](#). Terry Kuykendall v. State of Arkansas, from Crawford County Circuit Court. Affirmed; remanded to correct the sentencing order. Klappenbach and Brown, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-23-103](#). James Terry v. State of Arkansas, from Logan County Circuit Court, Southern District. Affirmed. Harrison, C.J., and Wood, J., agree.

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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-22-419. Daniel Abadom v. Director et al.

E-22-420. Daniel Abadom v. Director et al.

E-22-499. Bridgette Robinson v. Director et al.

E-22-500. Bridgette Robinson v. Director et al.

E-22-592. Lisa Birdwell Anderson v. Director et al.

E-22-604. Harold Brian Gilbert v. Director et al.

E-22-605. Harold Brian Gilbert v. Director et al.

E-22-606. Harold Brian Gilbert v. Director et al.

E-22-607. Brian Gilbert v. Director et al.

E-22-610. Rhonda Brown v. Director et al.

E-22-613. Darren Williams v. Director et al.

E-22-614. Avriana Armstrong v. Director et al.

E-22-615. Paulette Rush v. Director et al.

E-22-624. Rommie E. Graybeal v. Director et al.

E-22-626. Stephen Edward Griever v. Director et al.

E-22-628. Shirley Paul v. Director et al.

E-22-629. Shayla Monay Bolden v. Director et al.

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E-22-630. Shayla Monay Bolden v. Director et al.

E-22-631. James G. Wesson v. Director et al.

E-22-632. Jessica Erin Plunkett v. Director et al.

E-22-633. Jessica Erin Plunkett v. Director et al.

E-22-634. Holly Seigrist v. Director et al.

E-22-635. Ricky Taylor v. Director et al.

E-22-636. Brenda Robinson v. Director et al.

E-22-637. Xzilah Perez v. Director et al.

E-22-638. Dana Hoover v. Director et al.

E-22-639. Jackie Beck v. Director et al.

E-22-641. Jennifer Branam v. Director et al.

E-22-642. Johnny Mangrum v. Director et al.

E-22-643. Gerald Grasper v. Director et al.

E-23-182. Lisa Birdwell Anderson v. Director et al.

E-23-294. Lisa Birdwell Anderson v. Director et al.

E-23-295. Lisa Birdwell Anderson v. Director et al.

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PER CURIAM ORDERS

CR-23-63. Zachary Still v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's suggestion of mootness and constitutional objection to dismissal. State's response treated as countermotion to dismiss and granted. Appeal dismissed. Viriden., J., not participating.

[CR-23-191](#). Gene Jackson v. State of Arkansas, from Benton County Circuit Court. Upon return of the special master's findings of fact, a contempt citation and sanction have issued. *See per curiam* this date. Klappenbach, J., not participating.

CR-23-506. Mitchell Wine v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion to stay appeal and reinvest jurisdiction in the lower court for adjudication of writ of error coram nobis is denied.

CR-23-525. Shanteria Montgomery v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion to file belated reply brief is granted. Thyer, J., not participating. Tendered reply brief filed this date.

CR-23-567. Lillian Houselog v. State of Arkansas, from Sevier County Circuit Court. Motion of Donn H. Mixon and Marsha L. Levick for permission to file brief of amici curiae Juvenile Law Center, Human Rights Watch, and National Center for Youth Law in support of appellant Lillian Houselog is granted. Harrison, C.J., would deny. Tendered amicus brief filed this date.

CR-23-593. Steven Casey v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's motion to file belated reply brief is granted. Thyer, J., not participating. Tendered reply brief filed this date.

CR-24-80. Robert Wallace v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's motion for a rule on the clerk is granted. Thyer, J., not participating. Record filed in Arkansas Court of Appeals this date, as case No. CR-24-80. Appellant's brief will be due by April 1, 2024; appellee's brief due thirty days after appellant's brief is filed; appellant's reply brief due fifteen days thereafter.

CV-23-722. Eddie Bunch and Donald Bunch v. Angela Ryland, Anna Lee Ivey, the Unknown Heirs of David Floyd, and the Unknown Heirs of Louis Floyd, from Woodruff County Circuit Court. Appellants' motion for leave to file belated brief is granted. Harrison, C.J., and Abramson, J., not participating. Tendered brief filed this date.

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CV-23-765. Nationwide Mutual Insurance Company v. N.W.A. Restore-It, Inc., from Benton County Circuit Court. Appellant's second combined motion to supplement and correct record is moot.

CV-23-765. Nationwide Mutual Insurance Company v. N.W.A. Restore-It, Inc., from Benton County Circuit Court. Appellant's amended second combined motion to supplement and correct record is granted. Tendered supplemental record filed this date.

CV-23-779. James Scholz and Susanne Scholz v. Esquire Ranches, LLC, from Saline County Circuit Court. Appellants' motion for reconsideration of January 17, 2024 orders and brief in support is denied.

CV-23-779. James Scholz and Susanne Scholz v. Esquire Ranches, LLC, from Saline County Circuit Court. Appellants' motion for oral argument on their motion for reconsideration of January 17, 2024 orders is denied.

CV-23-825. Danie'l Harlow v. Arkansas Department of Human Services and Minor Child, from Faulkner County Circuit Court. Appellant's pro se motion for extension to file pro se points is denied.

CV-24-28. Angela R. Styles v. James D. Styles, from Pope County Circuit Court. Appellee's motion for leave to file belated response is moot. Harrison, C.J., not participating.

CV-24-49. Darby Conley v. Baptist Health d/b/a Baptist Health Medical Center - Little Rock, from Pulaski County Circuit Court, Sixth Division. Appellant's pro se belated motion treated as motion for belated appeal and denied. Appellant's pro se motion to extend the time to file and petition for in forma pauperis is moot.

E-23-424. Lisa Fleming v. Director et al., from the Arkansas Board of Review. Appellees' motion to dismiss appeal is passed until the case is submitted.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CV-23-217. Steven Brazil v. Julie Goggins Brazil, from Saline County Circuit Court.

CR-18-546. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court. Appellant’s pro se motion for a copy of the case file at public expense.

CR-22-458. Jiggs Dean Compton v. State of Arkansas, from Newton County Circuit Court. Motion of Geoffrey D. Kearney for attorney’s fees.

CR-22-583. Albert B. Mitchell v. State of Arkansas, from Garland County Circuit Court. Motion of Grace Casteel for award of attorney’s fees.

CR-22-809. Michael Shane Stoelting v. State of Arkansas, from Benton County Circuit Court. Appellant’s petition for writ of certiorari to complete the record and stay of briefing schedule.

CR-23-435. Durrell Barnum v. State of Arkansas, from Faulkner County Circuit Court. Appellee’s motion to dismiss or, in the alternative, motion for extension of brief time.

CR-23-807. Michael Dewayne Carr v. State of Arkansas, from Drew County Circuit Court. Appellee’s motion to dismiss or, in the alternative, motion for an extension of time in which to file brief.

CR-24-102. Anthony Petties v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant’s motion for rule on the clerk.

CV-24-37. Lisa Murphy; Gregory Kent Thomas; Fiddlers Green Medical Marijuana Dispensary, LLC; and Arkansas Property and Wealth Management Company, LLC v. Ryan Hansen; Jonathan Reeves; Greystone Wellness, LLC; and Hilltop Real Estate Holdings, LLC, from Stone County Circuit Court. Appellees’ motion to dismiss appeal.

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MOTIONS SUBMITTED

CV-24-37. Lisa Murphy; Gregory Kent Thomas; Fiddlers Green Medical Marijuana Dispensary, LLC; and Arkansas Property and Wealth Management Company, LLC v. Ryan Hansen; Jonathan Reeves; Greystone Wellness, LLC; and Hilltop Real Estate Holdings, LLC, from Stone County Circuit Court. Appellant's motion for oral argument on pending motion to dismiss appeal.

CV-24-87. Jeremy Kennedy v. John Felts, Brett Morgan, Doug Smith, Lona McCastlin, Andy Shock, Jamol Jones, and Wendy Ryals, from IZard County Circuit Court. Appellant's pro se motion to file belated appeal with an affidavit of indigency.

E-24-21. Edith Leah Perryman v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion to supplement.

E-24-31. Lafaydra Conway v. Director et al., from the Arkansas Board of Review. Petitioner's pro se motion to file belated appeal.

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CASES SUBMITTED

CR-23-402. Freddrick Childs, Jr. v. State of Arkansas, from Jefferson County Circuit Court.

CR-23-407. Tony McCoy v. State of Arkansas, from Bradley County Circuit Court.

CR-23-418. Shannon E. Thepharath v. State of Arkansas, from Pulaski County Circuit Court, Third Division.

CR-23-452. Brittany Thomas v. State of Arkansas, from Crawford County Circuit Court.

CV-22-432. Jessica Mathis v. Glenn A. Hickman, Jr., from Pulaski County Circuit Court, Seventeenth Division.

CV-23-31. Charles C. Tumey v. Jill L. Tumey, from Sharp County Circuit Court.

CV-23-34. Amber Barter (now Weigang) v. Donnie Barter, from Benton County Circuit Court.

CV-23-94. Jodie Hartman v. Candie Hartman, from Pulaski County Circuit Court, Seventeenth Division.

CV-23-158. Porter's Commercial Refrigeration, Inc. v. Danny A. Brewer; Jason Spears; and Natural State Supermarket Refrigeration, LLC, from Faulkner County Circuit Court.

CV-23-172. (In the Matter of the Adoption of Minor Child) Randell G. Shelton, Jr. v. Jesse Reid and Sheena Reid, from Washington County Circuit Court.

CV-23-211. Shane Manley v. James Zigras and Avant Mining, LLC, from Garland County Circuit Court.

CV-23-248. Samantha Corkins and Ed Hudson v. Michael Addie and Holly Addie, from Pulaski County Circuit Court, Twelfth Division.

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

E-22-644. Jaclyn Pozza v. Director et al.

E-22-645. Kendal McClure v. Director et al.

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CASES SUBMITTED

- E-22-646. Kendal McClure v. Director et al.
- E-22-647. Kendal McClure v. Director et al.
- E-22-648. Kendal McClure v. Director et al.
- E-22-649. Adrian West v. Director et al.
- E-22-650. LaSonja Smith v. Director et al.
- E-22-651. LaSonja Smith v. Director et al.
- E-22-652. Charlotte Kerby v. Director et al.
- E-22-653. Ricky Winkles v. Director et al.
- E-22-654. Joey Barnes v. Director et al.
- E-22-655. Debra Smith v. Director et al.
- E-22-656. Mary Ann Thomas v. Director et al.
- E-22-657. Susan Hilterbrand v. Director et al.
- E-22-658. Jalessa Prichett v. Director et al.
- E-22-659. Jasmine Straw v. Director et al.
- E-22-660. Jennifer Wares v. Director et al.
- E-22-661. Jennifer Wares v. Director et al.
- E-22-664. Sherry Canady v. Director et al.
- E-22-665. Sherry Canady v. Director et al.
- E-22-666. Dawn Rowe v. Director et al.

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CASES SUBMITTED

- E-22-667. Aleasia Mason v. Director et al.
- E-22-668. Aleasia Mason v. Director et al.
- E-22-669. Aleasia Mason v. Director et al.
- E-22-670. Anna VanHorn v. Director et al.
- E-22-671. William Doolin v. Director et al.
- E-22-672. John Pakay v. Director et al.
- E-22-673. Anna VanHorn v. Director et al.
- E-22-674. Robert Hines v. Director et al.
- E-22-675. Robert Hines v. Director et al.
- E-22-676. Sharon Crow v. Director et al.
- E-22-677. Sharon Crow v. Director et al.
- E-22-682. Anthony McGee v. Director et al.
- E-22-683. Fallon Looney v. Director et al.
- E-23-18. Susan Hilterbrand v. Director et al.
- E-23-406. Dawn Rowe v. Director et al.