

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MARCH 6, 2024**

**BRANDON J. HARRISON, CHIEF JUDGE:**

[CV-23-248](#). Samantha Corkins and Ed Hudson v. Holly and Michael Addie, from Pulaski County Circuit Court, Twelfth Division. Affirmed. Wood and Murphy, JJ., agree.

**RAYMOND R. ABRAMSON, JUDGE:**

[CR-23-452](#). Brittany Thomas v. State of Arkansas, from Crawford County Circuit Court. Affirmed. Virden and Thyer, JJ., agree.

[E-22-673](#). Anna VanHorn v. Director, Division of Workforce Services, from the Arkansas Board of Review. Affirmed in part; remanded in part. Virden and Thyer, JJ., agree.

**BART F. VIRDEN, JUDGE:**

[CV-22-394](#). Ben Motal v. John Doe and State Farm Mutual Automobile Insurance Company, from Pulaski County Circuit Court, Eleventh Division. Dismissed without prejudice. Gladwin and Wood, JJ., agree.

[CV-23-4](#). Ben Motal v. John Doe and State Farm Mutual Automobile Insurance Company, from Pulaski County Circuit Court, Eleventh Division. Reversed; orders vacated. Gladwin and Wood, JJ., agree.

**ROBERT J. GLADWIN, JUDGE:**

[CR-23-407](#). Tony McCoy v. State of Arkansas, from Bradley County Circuit Court. Affirmed. Gruber and Barrett, JJ., agree.

**N. MARK KLAPPENBACH, JUDGE:**

[CR-23-402](#). Freddrick Childs v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Hixson and Brown, JJ., agree.

[CV-22-671](#). Steve Mauldin, Jimmy Mauldin, and Virginia Mauldin v. Centennial Bank, from Faulkner Court Circuit Court. Affirmed. Hixson and Brown, JJ., agree.

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**RITA W. GRUBER, JUDGE:**

[CV-23-31](#). Charles Tumey v. Jill Tumey, from Sharp County Circuit Court. Reversed and remanded. Gladwin and Barrett, JJ., agree.

[E-22-667](#). Aleasia Mason v. Director, Department of Workforce Services, from the Arkansas Board of Review. Affirmed in part; remanded in part. Gladwin and Barrett, JJ., agree.

**STEPHANIE POTTER BARRETT, JUDGE:**

[CV-23-211](#). Shane Manley v. James Zigras and Avant Mining, LLC, from Garland County Circuit Court. Affirmed. Gladwin and Gruber, JJ., agree.

**CINDY GRACE THYER, JUDGE:**

[CR-23-297](#). Kyler Perkins v. State of Arkansas, from Washington County Circuit Court. Affirmed. Abramson and Virden, JJ., agree.

[E-22-676](#). Sharon Crow v. Director, Division of Workforce Services, from the Arkansas Board of Review. Affirmed in part; remanded in part. Abramson and Virden, JJ., agree.

**WENDY SCHOLTENS WOOD, JUDGE:**

[CR-23-418](#). Shannon Thepharath v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Affirmed. Harrison, C.J., and Murphy, J., agree.

**KENNETH S. HIXSON, JUDGE:**

[CV-22-432](#). Jessica Mathis v. Glen Alan Hickman, Jr., from Pulaski County Circuit Court, Seventeenth Division. Affirmed in part; reversed in part. Klappenbach and Brown, JJ., agree.

**MIKE MURPHY, JUDGE:**

[E-22-653](#). Ricky Lee Winkles, Jr. v. Director, Division of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Harrison, C.J., and Wood, J., agree.

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**MIKE MURPHY, JUDGE:** (continued)

[E-22-665](#). Sherry Canady v. Director, Division of Workforce Services, from the Arkansas Board of Review. Remanded. Harrison, C.J., and Wood, J., agree.

**WAYMOND M. BROWN, JUDGE:**

[CR-23-184](#). Tracy Cottrell v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Reversed and remanded. Klappenbach and Hixson, 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-22-644. Jaclyn Pozza v. Director et al.

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

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-22-654. 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.

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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-22-666. Dawn Rowe 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-22-674. Robert Hines v. Director et al.

E-22-675. Robert Hines 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.

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**PER CURIAM ORDERS**

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

CV-22-231. Robin Dee Enterprises, Inc. v. Carvin Burns, from Phillips County Circuit Court.

CV-22-725. Hamilton Mitchell, as Trustee of the Bankruptcy Estate of Jaslyn Deans v. James Strayhorn, from Washington County Circuit Court.

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CR-22-564. Seth Fontenot v. State of Arkansas, from Lonoke County Circuit Court. Motion of Robert M. “Robby” Golden for attorney’s fees is granted. Allowed \$700.

CR-22-616. Jimmie Holland v. State of Arkansas, from Washington County Circuit Court. Motion of Lee D. Short for attorney’s fees is granted. Allowed \$2,250. Virden, J., not participating.

CR-22-701. Jason Baxter v. State of Arkansas, from White County Circuit Court. Motion of Lee D. Short for attorney’s fees is granted. Allowed \$2,250.

CR-23-185. Minor Child v. State of Arkansas, from Pope County Circuit Court. Motion of Michael Kiel Kaiser for fees is granted. Allowed \$2,250. Virden and Klappenbach, JJ., not participating.

CR-23-287. Christon Jace Houston v. State of Arkansas, from Saline County Circuit Court. Appellant’s motion for extension of time to supplement the record on appeal is granted. Wood, J., not participating. Tendered supplemental record filed this date.

CR-23-288. Christon Jace Houston v. State of Arkansas, from Saline County Circuit Court. Appellant’s motion for extension of time to supplement the record on appeal is granted. Wood, J., not participating. Tendered supplemental record filed this date.

CR-23-295. Kimberlie Tilley v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney’s fees is denied without prejudice. Thyer, J., not participating.

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**PER CURIAM ORDERS**

CR-23-329. Jason Hicks v. State of Arkansas, from Hot Spring County Circuit Court. Motion of Gregory Crain for attorney fees is granted. Allowed \$2,250.

CR-23-390. Mercedes Cuellar v. State of Arkansas, from Grant County Circuit Court. Motion of Gregory Crain for attorney fees is granted. Allowed \$2,250.

CR-23-790. Tremain Huggins v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's petition for writ of certiorari to complete the record is granted. Harrison, C.J., not participating. Writ issued; returnable April 5, 2024. Appellant's brief is due thirty days after the writ is returned and the electronic supplemental record is lodged.

CR-23-821. Kenneth Steward v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for extension of time to lodge supplemental record is granted. Electronic supplemental record is due April 5, 2024.

CR-24-99. Anthony Petties v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of James Law Firm to substitute counsel is granted.

CR-24-99. Anthony Petties v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Petition of J. Marvin Honeycutt to withdraw as attorney of record is granted.

CR-24-102. Anthony Petties v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of James Law Firm to substitute counsel is granted.

CR-24-102. Anthony Petties v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Petition of J. Marvin Honeycutt to withdraw as attorney of record is granted.

CR-24-106. Timothy Black v. State of Arkansas, from Logan County Circuit Court, Northern District. Motion of Beth Wright to be relieved as attorney for appellant and for appointment of counsel is moot.

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**PER CURIAM ORDERS**

CR-24-106. Timothy Black v. State of Arkansas, from Logan County Circuit Court, Northern District. Amended motion of Beth Wright to be relieved as attorney for appellant and for appointment of counsel is granted. Ben Motal is appointed as counsel for the appellant. Appellant's brief is due April 5, 2024.

CV-23-210. Marvin L. Hughes II v. Mark E. Turner, Individually; Steve Turner; and Mark E. Turner as Trustee of The Mark E. Turner Revocable Trust, from Poinsett County Circuit Court. Appellant's motion for oral argument is granted. Thyer, J., not participating.

CV-23-515. Raymond Buzbee, Jr. v. Blann Transportation, Inc., aka Blann Trucking; David Blann; Christina D. Denton; and Blann Tractor Company, from Calhoun County Circuit Court. Appellant's belated motion for additional extension of time to file appellant's reply brief with the Arkansas Court of Appeals is denied. Klappenbach, J., not participating.

CV-23-544. Arkansas Wine and Spirits Wholesale, LLC v. Arkansas Department of Finance and Administration; Arkansas Alcoholic Beverage Control Division; Freddie Black, In His Official Capacity as Chairman of the Board of the Arkansas Alcoholic Beverage Control Division; Pamela DePreist, In Her Official Capacity as a Member of the Board of the Arkansas Alcoholic Beverage Control Division; Alex Bass, In His Official Capacity as Chairman of the Board of the Arkansas Alcoholic Beverage Control Division; Jamie Anderson, In His Official Capacity as Chairman of the Board of the Arkansas Alcoholic Beverage Control Division; Steven Smith, In His Official Capacity as Chairman of the Board of the Arkansas Alcoholic Beverage Control Division; Mach Flynt, Inc.; Levecke Corporation; and Moon Distributors, Inc., from Pulaski County Circuit Court. Motion of Clayborne Stone to withdraw is granted. Virden and Wood, JJ., not participating.

CV-23-764. Emily Reynolds v. Jerry Alan Parker, Individually and In His Fiduciary Capacity as Co-Trustee of the Parker Family Irrevocable Trust; and William David Parker, Individually and In His Fiduciary Capacity as Co-Trustee of the Parker Family Irrevocable Trust, from Garland County Circuit Court. Motion of Clayborne Stone to withdraw is granted. Murphy, J., not participating.

CV-23-804. Brenda Barton v. The Estate of Phillip Smith, Sr., Deceased, from Union County Circuit Court. Appellant's motion to stay briefing schedule and to consolidate appeal is denied. Appellant's brief is due April 5, 2024.

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**PER CURIAM ORDERS**

CV-24-43. Mikayla Turner v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Appellant’s motion to dismiss appeal and motion to stay briefing time is moot.

CV-24-43. Mikayla Turner v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Appellant’s amended motion to dismiss appeal and motion to stay briefing time is granted. Appeal dismissed.

CV-24-85. Fred N. Bollinger d/b/a FNB FARMS; Fred N. Bollinger, Jr.; Bollinger Lone Oak, Inc.; and Bollinger Partners, Inc. v. Farm Credit Midsouth, PCA, from Crittenden County Circuit Court. Appellants’ motion to consolidate records on appeal is granted. Thyer, J., not participating. The appeals are shown related on the appellate court’s docket.

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 is denied. Appeal dismissed without prejudice. *See McCullough v. Kelley*, 2018 Ark. 78.

CV-24-100. (In the Matter of the Estate of Pyper Fay Jean Thompson, Deceased) Tiffanie McGuire v. Albany Thompson, from Sebastian County Circuit Court, Fort Smith District. Appellee’s motion to dismiss appeal is granted. Appeal dismissed. Harrison, C.J., not participating.

CV-24-108. Frederick Jones v. Allstate Property and Casualty Insurance Company and Brooke Brolo, from Pulaski County Circuit Court, Twelfth Division. Appellant’s pro se motion for belated appeal is denied.



## **ARKANSAS COURT OF APPEALS**

### **PROCEEDINGS OF MARCH 6, 2024**

#### **MOTIONS SUBMITTED**

CR-22-732. Shawn Edward Smart v. State of Arkansas, from Independence County Circuit Court. Motion of Nicole C. Gillum for attorney's fees.

CR-23-180. Larra Gabrielleh Compton v. State of Arkansas, from Bradley County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-23-262. Samuel McLeod v. State of Arkansas, from Columbia County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-23-275. Kamen Winston v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for costs and attorney fees.

CR-23-323. Toby Yancy v. State of Arkansas, from Franklin County Circuit Court, Northern District. Appellant's motion to file supplemental record out of time.

CR-23-795. Angelo Latrice Harrington v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's pro se motion for leave to file belated reply brief.

CR-24-78. Brandon Combs v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion to include addenda.

CR-24-118. James Taylor v. State of Arkansas, from Miller County Circuit Court. Motion of appointed counsel Vadol Miller to withdraw and to stay appellate deadlines pending ruling on motion to withdraw.

CR-24-118. James Andrew Taylor v. State of Arkansas, from Miller County Circuit Court. Motion of appointed counsel Jeff Harrelson to withdraw and to stay appellate deadlines pending ruling on motion to withdraw.

CV-22-805. Janet Nicholas v. Mike Jones, from Sebastian County Circuit Court, Fort Smith District. Appellant/cross-appellee's motion to dismiss appeal and cross-appeal.

CV-23-736. Mighty Good Solutions, LLC; and Benjamin Rendo v. Retail Firm, LLC, from Benton County Circuit Court. Appellants' motion to supplement the record and for additional briefing.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MARCH 6, 2024**

**CASES SUBMITTED**

CR-22-803. Kinslow Young v. State of Arkansas, from St. Francis County Circuit Court.

CR-23-387. Neal Roberts v. State of Arkansas, from Jefferson County Circuit Court.

CR-23-489. Matthew Gonzales v. State of Arkansas, from Faulkner County Circuit Court.

CR-23-580. Baxter Stowers v. State of Arkansas, from Baxter County Circuit Court.

CV-22-202. Roberto Rodriguez v. Mangaraju Chakka and Kanthi Dasari, from Pulaski County Circuit Court, Seventeenth Division.

CV-22-745. Robert VanHook, M.D. v. Medical Emergency Trauma Associates, PLLC, from Pulaski County Circuit Court, Seventeenth Division.

CV-22-774. Brandon Lee Yarbery, as Trustee of the Brandon Lee Yarbery Bypass Trust; Paul E. Rush and Carolyn Sue Rush, as Trustees for the Paul E. Rush and Carolyn Sue Rush Family Trust of 2008; and Michael Scott Rush, Jeffrey Brian Rush, and Misty Teague, Individually and as Trustees of the Paul E. Rush and Carolyn Sue Rush Irrevocable and Unamendable Living Trust of 2017 v. Lahoma Edwards, from Sebastian County Circuit Court, Greenwood District.

CV-22-808. Altice USA, Inc., d/b/a Suddenlink Communications v. Honorable Sherry Kelley ex rel. City of Gurdon, Arkansas, Individually and o/b/o a Class of Similarly Situated Cities, from Clark County Circuit Court.

CV-23-127. Marilyn Buckley v. Freddie Buckley, from Clark County Circuit Court.

CV-23-133. Peco Foods, Inc.; OccuSure Claims Services, LLC; and Death & Permanent Total Disability Trust Fund v. Jeffrey Johnson, from the Arkansas Workers' Compensation Commission.

CV-23-212. Jim R. Nash v. John Nash, Jr., and Pam Glover Nash, from Pulaski County Circuit Court, Third Division.

CV-23-230. Kellco Custom Homes, Inc. v. Daniel H. Williams and Ellen M. Williams, from Pulaski County Circuit Court, Sixteenth Division.

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**CASES SUBMITTED**

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

E-22-680. Patrisha Jennings v. Director et al.

E-22-681. Patrisha Jennings v. Director et al.

E-22-684. Michael Osmundson v. Director et al.

E-22-685. Mary Kirby v. Director et al.

E-22-686. James Lee v. Director et al.

E-22-688. Glen Washington v. Director et al.

E-22-689. Glen Washington v. Director et al.

E-22-690. Kaseem Parker v. Director et al.

E-22-691. Kaseem Parker v. Director et al.

E-22-695. Elizabeth Walker v. Director et al.

E-22-696. Elizabeth Walker v. Director et al.

E-22-697. Terry Anderson v. Director et al.

E-22-698. Terri Austin v. Director et al.

E-23-3. Melissa Williams v. Director et al.

E-23-4. Melissa Williams v. Director et al.

E-23-5. Christopher Hall v. Director et al.

E-23-6. Christopher Hall v. Director et al.

E-23-7. Christopher Hall v. Director et al.

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**CASES SUBMITTED**

- E-23-8. Christopher Hall v. Director et al.
- E-23-9. Thomas Smith v. Director et al.
- E-23-10. Donald Rice v. Director et al.
- E-23-11. Vonda K. Warren v. Director et al.
- E-23-12. Vonda K. Warren v. Director et al.
- E-23-13. Tamara Howard v. Director et al.
- E-23-14. Charlotte Oglesby v. Director et al.
- E-23-15. Miracle King v. Director et al.
- E-23-16. Craig Devereaux v. Director et al.
- E-23-17. Chelsea Watts v. Director et al.
- E-23-19. Donald Kissell v. Director et al.
- E-23-20. Brichanna Corley v. Director et al.
- E-23-21. Tondaylia Primm v. Director et al.
- E-23-23. Vicki Harder v. Director et al.
- E-23-24. Krystal Gillespie v. Director et al.
- E-23-25. Krystal Gillespie v. Director et al.
- E-23-26. Candice Taylor v. Director et al.
- E-23-27. Falan Farr v. Director et al.