

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**RAYMOND R. ABRAMSON, JUDGE:**

[CV-22-585](#). Cody Stevens v. Harvey N. Hillenburg and Mark Hillenburg, from Stone County Circuit Court. Affirmed. Thyer and Murphy, JJ., agree.

[CV-23-106](#). Jeffery Springston, Individually and as Trustee of the Donald Springston and Thelma Marie Springston Revocable Trust v. Kenneth Springston and Joy Culp, Individually and as Beneficiaries of the Donald Springston and Thelma Marie Springston Revocable Trust, from Benton County Circuit Court. Dismissed without prejudice. Thyer and Murphy, JJ., agree.

**BART F. VIRDEN, JUDGE:**

[CV-23-200](#). Joy Wadley, Administratrix of the Estate of Farris Eugene Parliment, Deceased v. Bobby Hatton and Wanda Hatton, from Montgomery County Circuit Court. Reversed and remanded. Klappenbach and Wood, JJ., agree.

**N. MARK KLAPPENBACH, JUDGE:**

[CV-23-837](#). Kaylyn Robison v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gladwin and Gruber, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CV-23-258](#). Johnny E. Bowles v. Rusty Taylor d/b/a Pik-A-Part, from Johnson County Circuit Court. Affirmed. Klappenbach and Wood, JJ., agree.

**CINDY GRACE THYER, JUDGE:**

[CR-23-410](#). Jonathan Morrison v. State of Arkansas, from Perry County Circuit Court. Affirmed. Abramson and Murphy, JJ., agree.

[CV-22-760](#). Southern Pioneer Property and Casualty Insurance Company v. Troy Sharrah d/b/a A-1 Auto Sales; Allen Aultman; and John Q. Horton, from Crawford County Circuit Court. Affirmed. Abramson and Murphy, JJ., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**WENDY SCHOLTENS WOOD, JUDGE:**

[CR-23-525](#). Shanteria Montgomery v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Hixson and Brown, JJ., agree.

[CV-22-592](#). Bryan Mattox v. Mountain Home School District, from Baxter County Circuit Court. Reversed and remanded. Virden, Barrett, and Hixson, JJ., agree. Harrison, C.J., and Brown, J., dissent.

**KENNETH S. HIXSON, JUDGE:**

[CR-23-196](#). Devalin Wiseman v. State of Arkansas, from Howard County Circuit Court. Affirmed. Wood and Brown, JJ., agree.

**MIKE MURPHY, JUDGE:**

[CV-23-726](#). Shelley Drummond and James Pettigrew v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motions to withdraw granted. Abramson and Thyer, JJ., agree.

**WAYMOND M. BROWN, JUDGE:**

[CV-23-182](#). Nursing and Rehabilitation Center at Good Shepherd, LLC; Ecumenical Care and Rehabilitation Center, LLC; Central Arkansas Nursing Centers, Inc.; Nursing Consultants, Inc.; Michael Morton; Bobby Lamb, in His Capacity as Administrator of Nursing and Rehabilitation Center at Good Shepherd, LLC; Katie Baldwin, in Her Capacity as Director of Nursing of Nursing and Rehabilitation Center at Good Shepherd, LLC; and John Does I–V v. Judith White, as Special Administratrix of the Estate of Ella Holmes and on Behalf of the Wrongful Death Beneficiaries of Ella Holmes, from Pulaski County Circuit Court, Fifth Division. Affirmed. Gladwin 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-22-612. Darren Williams v. Director et al.

E-23-160. Rutilio Marin v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

- E-23-161. Rutilio Marin v. Director et al.
- E-23-162. Alisha Cass v. Director et al.
- E-23-163. Alisha Cass v. Director et al.
- E-23-164. Jacqueline Foster v. Director et al.
- E-23-165. Tracy Nunez v. Director et al.
- E-23-166. Carole T. Hutson v. Director et al.
- E-23-167. Carole T. Hutson v. Director et al.
- E-23-168. Jordan Childers v. Director et al.
- E-23-169. Jordan Childers v. Director et al.
- E-23-170. Gabriela Winkley v. Director et al.
- E-23-171. Gabriela Winkley v. Director et al.
- E-23-172. Gabriela Winkley v. Director et al.
- E-23-173. Antoneisha Stigger v. Director et al.
- E-23-174. Alex Emerson v. Director et al.
- E-23-175. Marilyn Bailey v. Director et al.
- E-23-176. Floyd Sloan v. Director et al.
- E-23-177. Keshawn Harrison v. Director et al.
- E-23-178. Desiree Lockhart v. Director et al.
- E-23-179. Geraldine Littleton v. Director et al.
- E-23-183. Gabriela Winkley v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

E-23-184. Gabriela Winkley v. Director et al.

E-23-185. Gabriela Winkley v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**PER CURIAM ORDERS**

REHEARING DENIED: Petition for rehearing was denied today in the following case.

CR-23-586. Billy Hoover v. State of Arkansas, from Crawford County Circuit Court. Klappenbach, J., not participating.

\*\*\*\*\*

CR-23-297. Kyler Perkins v. State of Arkansas, from Washington County Circuit Court. Motion of Erin Lewis for attorney’s fees is granted. Allowed \$2,500.

CR-23-299. Jack Rawlins v. State of Arkansas, from Polk County Circuit Court. Motion of Ben Motal for attorney’s fees is granted. Allowed \$2,500.

CR-23-347. Joe Cantrell v. State of Arkansas, from Cleburne County Circuit Court. Motion of Robert M. “Robby” Golden for award of attorney’s fees and costs is granted. Allowed \$2,400.

CR-24-80. Robert Wallace v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant’s motion to file belated brief is granted. Thyer, J., not participating. Tendered appellant’s brief filed this date.

CR-24-118. James Andrew Taylor v. State of Arkansas, from Miller County Circuit Court. Appellant’s pro se motion for second extension of time is denied. Virden, Klappenbach, and Barrett, JJ., not participating. Appellant’s pro se brief is due June 9, 2024. That deadline was set as the final one in an April 10, 2024 order.

CR-24-160. Marcello Damon v. State of Arkansas, from Ashley County Circuit Court. Motion of LaQuetta S. Henry to substitute counsel is moot.

CR-24-242. Raul Aargon Castro v. State of Arkansas, from Searcy County Circuit Court. Motion of Nancy Cartwright to be relieved as counsel for appellant is granted. Attorney Brian G. Brooks is appointed as counsel for the appellant. Appellant’s brief is due June 7, 2024.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**PER CURIAM ORDERS**

CR-24-244. Christopher Perdue v. State of Arkansas, from Benton County Circuit Court. Motion of Hanna Murphy to be relieved as attorney for appellant and stay briefing schedule is granted. Attorney Alex Burgos is appointed as counsel for the appellant. Appellant's brief is due June 7, 2024.

CR-24-252. Ja'Monte Deshun Washington v. State of Arkansas, from Jefferson County Circuit Court. Appellant's pro se motion for belated appeal is granted. Record filed in the Arkansas Court of Appeals this date as case No. CR-24-252.

CR-24-252. Ja'Monte Deshun Washington v. State of Arkansas, from Jefferson County Circuit Court. Appellant's pro se motion for appointment of counsel is granted. Attorney Gregg Knutson is appointed as counsel for the appellant. Appellant's brief is due June 7, 2024.

CV-23-613. Christopher F. Bailey v. Lindsey Bailey, from Hot Spring County Circuit Court. Appellant's motion to take judicial notice is denied.

CV-23-772. Kevin Cheri v. Laura Cheri, from Boone County Circuit Court. Appellant's motion to consolidate appeals is denied. *See Cheri v. Cheri*, 2024 Ark. App. 288 and *Cheri v. Cheri*, 2024 Ark. App. 289. Abramson, J., not participating.

CV-24-117. Bullet Holding Corp.; Robert Allen; and Calfneck Capital Corporation v. Delta Plantation, Inc.; Blue Lake of Arkansas; Blue Lake Farms, Inc.; Rebecca Winemiller; and Jimmy Winemiller, from Pulaski County Circuit Court, Sixteenth Division. Motion of separate appellants Bullet Holding Corp. and Robert Allen for extension of time to file brief is granted. Appellants' brief is due June 7, 2024.

CV-24-250. Bullet Holding Corp. and Robert Allen v. Delta Plantation, Inc.; Rebecca Winemiller; Blue Lake of Arkansas; Blue Lake Farms, Inc.; Jimmy Winemiller; and Calfneck Capital Corp., from Pulaski County Circuit Court, Sixteenth Division. Appellants' motion to consolidate appeals is granted.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CV-22-202. Roberto Rodriguez v. Mangaraju Chakka; Kanth Dasari; John Doe I; John Doe II; and John Doe III, from Pulaski County Circuit Court, Seventeenth Division.

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

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

\*\*\*\*\*

CR-17-264. Kwasi Andrade McKinney v. State of Arkansas, from Columbia County Circuit Court. Appellant's pro se motion to recall mandate.

CR-22-803. Kinslow Young v. State of Arkansas, from St. Francis County Circuit Court. Motion of Matt Kezhaya and Sonia Kezhaya for attorney's fees.

CR-23-174. Jacob Michael Lester v. State of Arkansas, from Washington County Circuit Court. Motion of Brett D. Watson for attorney fees.

CR-23-337. Reginald Featherston v. State of Arkansas, from Hempstead County Circuit Court. Motion of Jacob Potter for attorney's fees.

CR-23-337. Reginald Featherston v. State of Arkansas, from Hempstead County Circuit Court. Amended motion of Jacob Potter for attorney's fees.

CR-23-402. Fredrick Childs v. State of Arkansas, from Jefferson County Circuit Court. Motion of Willard Proctor, Jr., for attorney's fees.

CR-23-638. Devonte Washington v. State of Arkansas, from St. Francis County Circuit Court. Appellant's motion for leave to file amended appellant's brief.

CR-23-833. James Franklin Nowlin v. State of Arkansas, from Little River County Circuit Court. Motion of Shorty Barrett to withdraw as counsel and to appoint appellant counsel.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**MOTIONS SUBMITTED**

CR-24-241. Brian Keith Rayborn v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion to hold briefing in abeyance.

CR-24-245. Aiden Jones v. State of Arkansas, from Johnson County Circuit Court. Motion of Samuel F. Eastman to withdraw as counsel of record.

CV-23-367. Cargill, Inc.; Old Republic Insurance Company; and Sedgwick CMS v. Samuel Perez, from the Arkansas Workers' Compensation Commission. Motion of separate appellant Cargill, Inc., to hold appeal in abeyance and remand to the Arkansas Workers' Compensation Commission for approval of settlement.

CV-23-476. Black Farms, LLC; Rebecca Winemiller, as Co-Manager of Grand Prairie Farming & Water Company, LLC; Rebecca Winemiller, as Co-Trustee of The Ernestine Boyce Trust; and Ernestine Boyce, Co-Trustee Of The Ernestine Boyce Trust v. Grand Prairie Farming & Water Company, LLC; Jerry Lee Bogard, Co-Manager of Grand Prairie Farming & Water Company, LLC; Bogard Agriculture Consultancy Group, Inc.; Metropolitan Life Insurance Company; and James Dowden, as Receiver for Grand Prairie Farming & Water Company, LLC, from Arkansas County Circuit Court, Northern District. Motion of Kendel W. Grooms to withdraw as counsel for separate appellants Bogard Agriculture Consultancy Group, Inc., Jerry Lee Bogard, and Grand Prairie Farming & Water Company, LLC.

CV-23-769. Lee Ann Hall v. Scarlett Sims, from Lawrence County Circuit Court. Appellant's motion to file belated brief.

CV-23-769. Lee Ann Hall v. Scarlett Sims, from Lawrence County Circuit Court. Appellee's motion to dismiss appeal.

CV-23-770. Lee Ann Hall v. Matthew Sims, from Lawrence County Circuit Court. Appellant's motion to file belated brief.

CV-23-770. Lee Ann Hall v. Matthew Sims, from Lawrence County Circuit Court. Appellee's motion to dismiss appeal.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**MOTIONS SUBMITTED**

CV-24-110. (In the Matter of the Estate of Billy Ray Waymon, Deceased) Lisa Rouse, as Administrator of the Estate of Billy Ray Waymon; and April Lunsford, Shelley Williams, and Lisa Rouse, Individually v. John Wesley Tippit; Timothy L. Tippit; Steven C. Tippit; and Robert E. Tippit, from Clay County Circuit Court. Joint motion to supplement and correct record and for extension of time.

CV-24-123. Rachel M. Hightshoe as Executrix of the Estate of Bobby G. Robbins, Deceased v. Judy LeMay, from Clark County Circuit Court. Motion of Rachel M. Hightshoe for substitution of party or, in the alternative, motion to remand for substitution of party.

CV-24-194. Michel Pardue and Karen Pardue v. Cross Keys Property Owners' Association, Inc., from Washington County Circuit Court. Appellee's motion to dismiss appeal.

CV-24-194. Michel Pardue and Karen Pardue v. Cross Keys Property Owners' Association, Inc., from Washington County Circuit Court. Appellee's motion to stay briefing schedule.

CV-24-259. Jeffrey Butcher v. Stephanie Butcher, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for rule on clerk.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**CASES SUBMITTED**

CR-23-456. Jessie Evans v. State of Arkansas, from Faulkner County Circuit Court.

CR-23-527. Dewayne Cartwright v. State of Arkansas, from Phillips County Circuit Court.

CR-23-593. Steven Casey v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District.

CV-22-230. Sandra D. McClellan and Monta R. McClellan, Husband and Wife; Monica J. Newsom; and John Millam Construction, Inc., Individually and on Behalf of All Others Similarly Situated v. Ritter Cable Company, LLC; E. Ritter & Company; E. Ritter Communications, LLC; E. Ritter Communications Holdings, LLC; and E. Ritter Telephone Company, LLC, from Franklin County Circuit Court, Northern District.

CV-22-695. John Cochran v. Nina E. Cromer; Terry Cromer; and Teresa Cromer Zachary, from Johnson County Circuit Court.

CV-23-12. Eldon Summerfield and Rebecca Summerfield v. Southeastern Freight Lines, Inc.; David Williams; and John Does I–IX, from Benton County Circuit Court.

CV-23-18. Joy Corp and Nazir U. Sardar v. John Roberts, from Pope County Circuit Court.

CV-23-324. Dakota Baker v. Shelby Baker, from Pulaski County Circuit Court, Fourteenth Division.

CV-23-334. Donald Wise v. Kimberly Huckabay and State of Arkansas, Office of Child Support Enforcement, from Greene County Circuit Court.

CV-23-379. Greennecks Lawn Services LLC d/b/a Greennecks Landscape Management LLC; and Joseph Swayze, in His Individual Capacity v. Stephen Lewis and First Security Bank, from Faulkner County Circuit Court.

CV-23-478. Amanda Rodriguez-Wells v. Austin Wells, from Baxter County Circuit Court.

CV-24-3. Jeniveve DeVary v. Arkansas Department of Human Services and Minor Children, from Scott County Circuit Court.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**CASES SUBMITTED**

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

- E-23-186. Jennifer Barnes v. Director et al.
- E-23-187. Jennifer Barnes v. Director et al.
- E-23-188. Jennifer Barnes v. Director et al.
- E-23-189. Christina Smith v. Director et al.
- E-23-190. Morgan Humbard v. Director et al.
- E-23-191. Morgan Humbard v. Director et al.
- E-23-192. Felecca Lucas v. Director et al.
- E-23-193. Felecca Lucas v. Director et al.
- E-23-196. Jacqueline Jones v. Director et al.
- E-23-197. Jacqueline Jones v. Director et al.
- E-23-198. Tequila Estes v. Director et al.
- E-23-208. Eva Castanos v. Director et al.
- E-23-209. Lesa Reesnes v. Director et al.
- E-23-210. Maryglen Long v. Director et al.
- E-23-211. Maryglen Long v. Director et al.
- E-23-212. Kelly Sullins v. Director et al.
- E-23-213. Kelly Sullins v. Director et al.
- E-23-214. Kelly Sullins v. Director et al.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 8, 2024**

**CASES SUBMITTED**

E-23-215. Kelly Sullins v. Director et al.

E-23-216. Reneisha Phillips v. Director et al.

E-23-217. Reneisha Phillips v. Director et al.

E-23-218. Reneisha Phillips v. Director et al.

E-23-219. Rozthanne R. Lewis v. Director et al.

E-23-220. Tiffany B. Stark v. Director et al.