

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JULY 17, 2024

MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR-23-431. Zachary Vermillion v. State of Arkansas, from Jefferson County Circuit Court.

CR-23-506. Mitchell Wine v. State of Arkansas, from Saline County Circuit Court.

CR-23-604. Kevin Skillern v. State of Arkansas, from Lonoke County Circuit Court.

CR-23-741. Samuel Golden v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith 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-22-585. Cody Stevens v. Harvey N. Hillenburg and Mark Hillenburg, from Stone County Circuit Court.

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

CV-23-117. Melissa Kopaska v. Paula McNeil, from Benton County Circuit Court.

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.

CV-23-189. Elizabeth Lyon v. The Academy, Inc., and Mark Henry, from Washington County Circuit Court.

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CV-23-200. Joy Wadley, Administratrix of the Estate of Farris Eugene Parliament, Deceased v. Bobby Hatton and Wanda Hatton, from Montgomery County Circuit Court.

CV-23-257. Southeastern Commercial Masonry, Inc. v. CR Crawford Construction, LLC, from Washington County Circuit Court.

CV-23-258. Johnny E. Bowles v. Rusty Taylor d/b/a Pik-A-Part, from Johnson County Circuit Court.

CV-23-327. Stephanie Wilson and William A. Buckley III v. Jeanette Kolterman, by Her Next Friend, Tad Kolterman; Tad Kolterman; Monica Johnson; and Juanita Groomer, from Sebastian County Circuit Court, Fort Smith District.

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

CR-09-990. Charles Edwards Jones v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motion to recall mandate.

CR-22-716. Lamiesha Toney v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion for acceptance of late filing.

CR-22-777. Brendan Burns v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Motion of Michael Kiel Kaiser for fees.

CR-23-155. Robert Richardson v. State of Arkansas, from Benton County Circuit Court. Motion of Michael Kiel Kaiser for fees.

CR-23-191. Gene Jackson v. State of Arkansas, from Benton County Circuit Court. Motion of Michael Kiel Kaiser for fees.

CR-23-196. Devalin Wiseman v. State of Arkansas, from Howard County Circuit Court. Motion of Matt Kezhaya and Sonia Kezhaya for attorney's fees.

CR-23-207. Timothy Jackson v. State of Arkansas, from Miller County Circuit Court. Motion of Dusti Standridge for attorney's fees and expenses.

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CR-23-271. Donald Ray Mouse v. State of Arkansas, from Benton County Circuit Court. Appellant's pro se motion to file belated pro se points for reversal.

CR-23-285. Todd Menard v. State of Arkansas, from Garland County Circuit Court. Motion of Matt Kezhaya and Sonia Kezhaya for attorney's fees.

CR-23-381. Dennis Hicks v. State of Arkansas, from Benton County Circuit Court. Motion of Michael Kiel Kaiser for attorney's fees.

CR-23-430. Larry Wilson v. State of Arkansas, from Lincoln County Circuit Court. Motion of Michael Kiel Kaiser for fees.

CR-23-454. Sidney Ray Hayes v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Matt Kezhaya and Sonia Kezhaya for attorney's fees.

CR-23-455. Sidney Ray Hayes v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Matt Kezhaya and Sonia Kezhaya for attorney's fees.

CR-23-525. Shanteria Montgomery v. State of Arkansas, from Crittenden County Circuit Court. Motion of Jake Holmes for award of attorney's fees.

CR-23-525. Shanteria Montgomery v. State of Arkansas, from Crittenden County Circuit Court. Amended motion of Jake Holmes for award of attorney's fees.

CR-23-527. Dewayne Cartwright v. State of Arkansas, from Phillips County Circuit Court. Motion of Don Etherly for award of attorney's fees.

CR-23-555. Vincent Peal v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion for rule on the clerk and motion for remand to settle the record and stay briefing schedule.

CR-23-634. Dustin Kaine Smith v. State of Arkansas, from Ashley County Circuit Court. Motion of Susan Potts, executrix for the estate of Gary W. Potts, for costs and attorney fees.

CR-23-647. Sethphrom Henderson v. State of Arkansas, from Lonoke County Circuit Court. Motion of Robert M. "Robby" Golden for award of attorney's fees and costs.

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CR-23-655. Minor Child v. State of Arkansas, from Boone County Circuit Court. Motion of Lee D. Short for attorney's fees.

CR-23-714. Chad Cason v. State of Arkansas, from Grant County Circuit Court. Motion of Gregory Crain for attorney fees.

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.

CR-23-800. Bradley Uren v. State of Arkansas, from Baxter County Circuit Court. Appellee's motion to remand to settle and supplement the record and motion for extension of brief time.

CR-24-17. Bryant Goodman v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's petition for writ of certiorari to complete the record on appeal.

CR-24-17. Bryant Goodman v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion for extension of time to file appellant's brief.

CR-24-39. Kelly Dunning v. State of Arkansas, from Benton County Circuit Court. Motion of Michael Kiel Kaiser for fees.

CR-24-78. Brandon James Combs v. State of Arkansas, from Faulkner County Circuit Court. Appellee's motion to dismiss or, in the alternative, motion for extension of time in which to file brief.

CR-24-137. Glicenia C. Logan v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's pro se motion to reopen all federal cases.

CR-24-137. Glicenia C. Logan v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's pro se motion for extension of brief time.

CR-24-137. Glicenia C. Logan v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's pro se motion for belated appeal.

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CR-24-137. Glicenia C. Logan v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's pro se motion to supplement the record.

CR-24-137. Glicenia C. Logan v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's second pro se motion for belated appeal.

CR-24-137. Glicenia C. Logan v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Appellant's second pro se motion for extension of brief time.

CR-24-175. Samuel Golden v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se petition for writ of certiorari.

CR-24-197. Kelly Dunning v. State of Arkansas, from Benton County Circuit Court. Motion of Michael Kiel Kaiser for fees.

CR-24-202. Charles Youngberg v. State of Arkansas, from Stone 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.

CR-24-202. Charles Youngberg v. State of Arkansas, from Stone County Circuit Court. Appellant's motion for extension of time to file brief.

CR-24-245. Aiden Jones v. State of Arkansas, from Johnson County Circuit Court. Appellant's pro se motion for completed briefs and mandate to be sent to appellant.

CR-24-252. Ja'Monte Deshun Washington v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion for certiorari to complete the record, for stay of proceedings, and for extension of time.

CR-24-260. Randall Thomas McArty v. State of Arkansas, from Clark County Circuit Court. Appellant's pro se motion for appointment of counsel.

CR-24-260. Randall Thomas McArty, from Clark County Circuit Court. Appellant's pro se motion for reconsideration.

CR-24-275. Jimmy Wade v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to submit replacement exhibit.

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CR-24-285. David Eugene Lloyd v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for appeal bond.

CR-24-300. Justin Hellyer v. State of Arkansas, from Washington County Circuit Court. Appellant's motion to correct the record.

CR-24-300. Justin Hellyer v. State of Arkansas, from Washington County Circuit Court. Appellant's motion to stay the briefing schedule.

CR-24-315. John Patrick Cullen v. State of Arkansas, from Garland County Circuit Court. Appellant's pro se motion for *Franks* hearing to vacate judgment.

CR-24-334. John Ellis Sanders v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's motion to lodge a belated transcript.

CR-24-335. Julian Williams v. State of Arkansas, from White County Circuit Court. Appellant's pro se petition for writ of certiorari for denial of reduce bail/or release on own recognizance.

CR-24-336. Joseph Gilbert v. State of Arkansas, from Jefferson County Circuit Court. Motion of Terrence Cain to substitute counsel.

CR-24-336. Joseph Gilbert v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion for abeyance of brief time.

CR-24-340. Paul Criswell v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion for bond.

CR-24-340. Paul Criswell v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion for preliminary hearing.

CR-24-340. Paul Criswell v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion for appointment of counsel.

CR-24-351. Colton Adair Sanders v. State of Arkansas, from Crawford County Circuit Court. Appellant's notice of motion for bail on appeal.

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CR-24-351. Colton Adair Sanders v. State of Arkansas, from Crawford County Circuit Court. Appellant's motion for appeal bond.

CR-24-365. Charles Miller v. State of Arkansas, from Union County Circuit Court. Appellant's motion for expansion of word-count limitations.

CR-24-371. Donald Lee Camp v. State of Arkansas, from Perry County Circuit Court. Appellant's pro se motion for appointment of counsel.

CR-24-383. John Britt v. State of Arkansas, from Benton County Circuit Court. Appellant's petition for writ of certiorari to complete the record.

CR-24-405. Zabion Deshon Bealer v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellant's motion for rule on the clerk.

CR-24-411. Wayne Allen Weeks v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion for belated appeal or rule on clerk.

CV-20-33. LaDonna Humphrey, Individually v. Absolute Pediatric Services, Inc., d/b/a Absolute Pediatric Therapy; and Anthony Christopher, from Benton County Circuit Court. Appellant's status report.

CV-21-282. MMSC, LLC v. Washington County, Arkansas; Quorum Court of Washington County, Arkansas; Joseph K. Wood, in His Official Capacity as County Judge; Dinah Dickerson; Caroline Cox; Stephenie Foster; Marty Matlock; and the Highlands Community Association, from Washington County Circuit Court. Appellant's motion to extend the time to file the corrected record and, in the alternative, petition for writ of certiorari to complete the record.

CV-21-282. MMSC, LLC v. Washington County, Arkansas; Quorum Court of Washington County, Arkansas; Joseph K. Wood, in His Official Capacity as County Judge; Dinah Dickerson; Caroline Cox; Stephenie Foster; Marty Matlock; and the Highlands Community Association, from Washington County Circuit Court. Appellant and appellees' joint motion for leave to file substituted brief with corrected record citations.

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CV-22-469. Clifford W. Christian and Karen D. Christian v. SWO Properties, Inc., an Arkansas Corporation Doing Business in Boone County, Arkansas, from Boone County Circuit Court. Appellants' motion for extension of time to refile brief.

CV-23-501. Charles Leach v. O.A.K. Construction, Inc.; and Liberty Mutual Insurance Company, from the Arkansas Workers' Compensation Commission. Appellant's motion to remand to the Arkansas Workers' Compensation Commission.

CV-23-713. Joseph Hart v. Amy Seiter (now Wright), from Benton County Circuit Court. Appellee's motion to dismiss and brief in support.

CV-23-713. Joseph Hart v. Amy Seiter (now Wright), from Benton County Circuit Court. Appellant's response to appellee's motion to dismiss and alternative motion to supplement record.

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. Appellant's pro se motion to tender belated brief.

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. Appellee's response in opposition to appellant's motion to tender belated brief and appellee's motion to dismiss appeal.

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. Appellee's motion for leave to reply to appellant's response to motion to dismiss appeal.

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CV-24-54. Clark County, Arkansas, ex rel. Honorable Troy Tucker, in His Official Capacity as County Judge of Clark County, Arkansas, Individually and o/b/o a Class of Similarly Situated Parties v. AT&T Corp. and Southwestern Bell d/b/a AT&T Arkansas, from Clark County Circuit Court. Motion for permission to file brief of amicus curiae the Association of Arkansas Counties.

CV-24-54. Clark County, Arkansas, ex rel. Honorable Troy Tucker, in His Official Capacity as County Judge of Clark County, Arkansas, Individually and o/b/o a Class of Similarly Situated Parties v. AT&T Corp. and Southwestern Bell d/b/a AT&T Arkansas, from Clark County Circuit Court. Appellees' response to motion by the Association of Arkansas Counties to file amicus curiae brief and motion for permission to file supplemental brief in response.

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, Western District. Appellants'/Cross-Appellees' motion 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. Appellant's motion to consolidate records.

CV-24-130. Elizabeth Goode v. Jaya Nair, from Pulaski County Circuit Court, Fourth Division. Appellant's motion for certiorari to complete the record and motion to stay briefing schedule.

CV-24-162. Luciana Frazier v. The LJ & Gloria Randle Trust, from Jefferson County Circuit Court. Appellant's pro se motion for reconsideration.

CV-24-194. Michel Pardue and Karen Pardue v. Cross Keys Property Owners' Association, Inc., from Washington County Circuit Court. Appellants' petition for rehearing.

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

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CV-24-228. Staci L. Burns (now Mitchell) v. Keaton D. Dillinger, from Prairie County Circuit Court, Northern District. Appellant's motion for further relief.

CV-24-233. Nancy and John Butler v. VEP, LLC, d/b/a Vallon Condominiums; Chenal Properties, Inc.; and First Security Bank, from Pulaski County Circuit Court, Twelfth Division. Appellants' motion to extend time.

CV-24-266. Brandy McCormick (now Horton) v. Joshua Fletcher, from Benton County Circuit Court. Appellant's pro se petition to appeal; request for indigent transcripts; and motion for extension of time to file brief.

CV-24-266. Brandy McCormick (now Horton) v. Joshua Fletcher, from Benton County Circuit Court. Appellant's pro se motion for extension of time to file opening brief due to delay in transcripts, motion to expedite transcripts, motion to reserve the right to supplement or amend the brief, and motion for an amended admission of remaining record and designation of additional abbreviated transcripts on file.

CV-24-266. Brandy McCormick (now Horton) v. Joshua Fletcher, from Benton County Circuit Court. Appellee's response to McCormick's June 21st motion; and appellee's motion to dismiss appeal.

CV-24-272. Trenton Simshauser v. Michelle Simshauser, from Garland County Circuit Court. Motion of James D. Bornhoft to withdraw as counsel for the appellee.

CV-24-272. Trenton Simshauser v. Michelle Simshauser, from Garland County Circuit Court. Entry of appearance of Frank LaPorte-Jenner on behalf of the appellee and motion for substitution of counsel.

CV-24-288. John Patrick Cullen v. Kathi Jo Brinkley, Katie Elizabeth Knight-Kewak, Jarrett Cantrell, Chris Chapman, Billy Joe Burrough, and Shana Dianne Alexander, from Jefferson County Circuit Court. Appellant's motion to dismiss appellees.

CV-24-288. John Patrick Cullen v. Kathi Jo Brinkley, Katie Elizabeth Knight-Kewak, Jarrett Cantrell, Chris Chapman, Billy Joe Burrough, and Shana Dianne Alexander, from Jefferson County Circuit Court. Appellant's pro se motion requesting oral reply/argument via video conference.

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CV-24-310. Nucor Yamato Steel Company; Arch Insurance Company; and Sedwick Claims Management Services, Inc. v. Joshua Shelton, from the Arkansas Workers' Compensation Commission. Appellee/cross-appellant's motion to supplement the record.

CV-24-337. TCR Holdings, LLC; and AIM Brands, LLC v. Axxcess Capital Partners, LLC; Timothy Snodgrass; Eli Spiro; and Ron Gabaldon, from Benton County Circuit Court. Appellants' petition for writ of certiorari to complete the record.

CV-24-366. Baptist Health System and Claims Administrative Services v. Charles Axsom, from the Arkansas Workers' Compensation Commission. Appellants' motion to remand.

CV-24-391. Calandra Lock-Fraiser and Jahnell Fraiser v. Arkansas Department of Human Services and Minor Child, from Hot Spring County Circuit Court. Appellants' motion to correct the record with memorandum of authorities.

CV-24-393. Gracie Dent v. Conway Regional Medical Center, Inc., d/b/a Conway Regional Health Care; John Does A through H; and John Doe Insurance Companies/Liability Pools I through M, from Faulkner County Circuit Court. Appellees' joint motion to dismiss appeal.

CV-24-403. Steven Carrick v. Circle K Stores, Inc.; and Travelers Insurance Company, from the Arkansas Workers' Compensation Commission. Appellant's pro se petition to proceed in forma pauperis with affidavit.