

**ARKANSAS COURT OF APPEALS**  
**PROCEEDINGS OF AUGUST 28, 2024**

**PER CURIAM ORDERS**

CR-22-803. Kinslow Young v. State of Arkansas, from St. Francis County Circuit Court. Appellant's pro se motion pursuant to Arkansas Rule of Appellate Procedure–Criminal 19 requesting copy of record or brief is moot.

CR-23-235. Arlene Edwards v. State of Arkansas, from Saline County Circuit Court. Motion of F. Parker Jones III for attorney's fees is granted. Allowed \$2,500.

CR-23-611. Galindo Mendoza v. State of Arkansas, from Washington County Circuit Court. Motion of Erin Lewis for attorney's fees is granted. Allowed \$2,500.

CR-23-659. Craig Henry v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's motion for remand to settle the record and stay briefing schedule is granted. Settled electronic record is due September 27, 2024. Appellant's brief is due thirty days after the settled electronic record is filed.

CR-23-676. George E. Bigelow v. State of Arkansas, from Van Buren County Circuit Court. Motion of Jason R. Davis for attorney's fees is granted. Allowed \$2,500.

CR-23-700. Jennifer Leigh Hill v. State of Arkansas, from Ashley County Circuit Court. Appellant's motion for extension of time to file brief is granted.

CR-23-700. Jennifer Leigh Hill v. State of Arkansas, from Ashley County Circuit Court. Appellant's motion to file a substituted brief is granted. Tendered appellant's rebrief filed this date.

CR-23-741. Samuel Golden v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Dusti Standridge for attorney's fees and expenses is granted. Allowed \$2,500.

CR-23-763. James Kennedy v. State of Arkansas, from Saline County Circuit Court. Motion of F. Parker Jones III for attorney's fees is granted. Allowed \$2,500. Wood, J., not participating.

CR-23-767. Crystal Hope Lowery v. State of Arkansas, from Pulaski County Circuit Court, Third Division. Appellant's pro se motion for appointment of counsel is denied. Virden and Thyer, JJ., not participating.

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CR-23-790. Tremain Huggins v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's motion to supplement the record is moot. Harrison, C.J., not participating.

CR-23-800. Bradley Uren v. State of Arkansas, from Baxter County Circuit Court. Appellee's motion for extension of time to supplement the record is granted. Electronic supplemental record is due September 28, 2024.

CR-23-821. Kenneth Steward v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for extension of time to lodge the supplemental record is granted. Electronic supplemental record is due September 27, 2024.

CR-24-78. Brandon James Combs v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for reconsideration of dismissal is denied.

CR-24-119. Richard Lee Beavers v. State of Arkansas, from Crittenden County Circuit Court. Appellant's pro se motion to file belated points for reversal and for leave to file unverified affidavit is denied. Thyer, J., not participating.

CR-24-141. Jaime Glenn Finley v. State of Arkansas, from Garland County Circuit Court. Appellee's motion to dismiss or, in the alternative, motion for an extension of time to file brief is granted. Appeal dismissed. Harrison, C.J., not participating.

CR-24-245. Aiden Jones v. State of Arkansas, from Johnson County Circuit Court. Appellant's pro se motion for extension of time to file pro se points for reversal is granted.

CR-24-262. Michael Powell v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellee's petition for writ of certiorari to complete the record and motion to stay the briefing schedule is granted. Writ issued; returnable September 27, 2024. Appellee's brief is due thirty days after the writ is returned and the electronic supplemental record is filed.

CR-24-265. Derek Dewayne Blasingame v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion for appointment of counsel is denied.

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CR-24-265. Derek Dewayne Blasingame v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion to supplement video is denied.

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

CR-24-323. Edward Lockhart v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's second motion for extension of time and to stay briefing schedule is granted. Appellant's brief is due September 27, 2024.

CR-24-340. Paul Criswell v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion requesting copy of record at public expense is denied.

CR-24-340. Paul Criswell v. State of Arkansas, from Saline County Circuit Court. Appellant's pro se motion to allow addendum to the appellant's brief is denied.

CR-24-340. Paul Criswell v. State of Arkansas, from Saline County Circuit Court. Appellee's response to motion seeking to add an addendum to appellant's brief and motion to stay the briefing schedule is granted. Appellee's brief is due September 27, 2024.

CR-24-357. Leon Bowens v. State of Arkansas, from Jefferson County Circuit Court. Appellant's motion to stay briefing schedule and to supplement the record is denied. Appellant's brief is due September 27, 2024.

CR-24-389. Keithan Jackson v. State of Arkansas, from Pike County Circuit Court. Appellant's pro se motion to supplement the record is granted. Harrison, C.J., and Virden, J., not participating. Tendered supplemental record filed this date.

CR-24-389. Keithan Jackson v. State of Arkansas, from Pike County Circuit Court. Appellee's motion to stay the briefing time is granted. Harrison, C.J., and Virden, J., not participating. Appellee's brief is due September 27, 2024.

CR-24-398. Krystal Lee v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to complete and/or supplement the record is moot.

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CR-24-398. Krystal Lee v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to stay briefing time is moot.

CR-24-415. Rocky Duane Turner v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellee's motion to dismiss or, in the alternative, motion for an extension of time in which to file brief is granted. Appeal dismissed.

CR-24-420. James Wright, Jr. v. State of Arkansas, from Columbia 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 is granted. Klappenbach, J., not participating. Writ issued; returnable September 27, 2024. Appellant's brief is due thirty days after the writ is returned and the electronic supplemental record is filed.

CR-24-433. Julius C. Lever v. City of Pine Bluff, from Jefferson County Circuit Court. Appellant's pro se motion for appeal of judgment and order is denied.

CR-24-441. Bruce Sanders v. State of Arkansas, from Union County Circuit Court. Motion of Andrew W. Best to be relieved and for substitution of counsel is granted.

CR-24-450. Minor Child v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on clerk is granted. Thyer, J., not participating. Record filed this date in the Arkansas Court of Appeals as case No. CR-24-450. Appellant's brief is due October 7, 2024.

CR-24-451. Melvin McNeal, Jr. v. State of Arkansas, from Craighead County Circuit Court, Western District. Appellant's motion for belated appeal is granted. Thyer, J., not participating. Record filed this date in the Arkansas Court of Appeals as case No. CR-24-451. Appellant's brief is due October 7, 2024.

CR-24-507. Jonathan Alberto Flores Martinez v. State of Arkansas, from Faulkner County Circuit Court. Motion of Kenneth L. Hamilton and Robert E. Tellez to be relieved as counsel for purposes of appeal is granted. Presley Hager-Turner is appointed as counsel for the appellant. Appellant's brief is due September 27, 2024.

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CR-24-508. Gaspar Gaspar-Andres v. State of Arkansas, from Garland County Circuit Court. Appellant's motion for belated appeal is granted. Record filed this date in the Arkansas Court of Appeals as case No. CR-24-508. Appellant's brief is due October 7, 2024.

CV-22-469. Clifford W. Christian and Karen D. Christian v. SWO Properties, Inc., from Boone County Circuit Court. Appellants' motion to strike appellee's reply brief is denied.

CV-22-683. Jeffery C. Frazier v. Jana Bland and Paige Bland, from White County Circuit Court. Appellees' motion for extension of time to file supplemental brief is moot. Harrison, C.J., not participating.

CV-22-804. Tim Roberson, Administrator of the Estate of Christopher Wagoner, Deceased v. Loy Ray Wagoner Trust, Cindy Honeycutt, Larry Harp, and Sandra Trammell, as Trustees of the Loy Ray Wagoner Trust, from Newton County Circuit Court. Motion of Jorge Rodriguez to withdraw as counsel for the appellant is granted.

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. Separate appellant William Buckley's motion for mandate is denied.

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CV-23-345. Fayetteville Arkansas Hospital Company, LLC; Northwest Arkansas Hospitals, LLC; Siloam Springs Arkansas Hospital Company, LLC; White County Medical Center; Advanced Care Hospital of White County; White River Health System, Inc.; MCSA, LLC; Baptist Memorial Hospital Jonesboro, Inc.; Forrest City Arkansas Hospital Company, LLC; and Phillips Hospital Company, LLC v. Amneal Pharmaceuticals, Inc.; Amneal Pharmaceuticals of New York, LLC; Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Johnson & Johnson; Janssen Pharmaceuticals, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc.; Tasmanian Alkaloids Pty. Ltd.; Abbvie, Inc.; Abbott Laboratories; Abbott Laboratories, Inc.; Endo Health Solutions, Inc.; Endo Pharmaceuticals, Inc.; Par Pharmaceutical Companies, Inc.; Par Pharmaceutical, Inc.; Mallinckrodt, LLC; Mallinckrodt PLC; Specgx, LLC; Allergan Finance, LLC; Allergan Sales, LLC; Allergan PLC; Allergan USA, Inc.; Anda, Inc.; Cardinal Health, Inc.; CVS Health Corporation; Henry Schein, Inc.; CVS Pharmacy, Inc.; Arkansas CVS Pharmacy, LLC; and Does 1–100, from Washington County Circuit Court. Notice of bankruptcy discharge, status report, and request for dismissal pursuant to bankruptcy discharge is granted. Appeal dismissed as to separate appellees Endo Health Solutions, Inc.; Endo Pharmaceuticals, Inc.; Par Pharmaceutical Companies, Inc.; and Par Pharmaceutical, Inc. Gruber and Murphy, JJ., not participating. Appellants’ brief is due September 27, 2024.

CV-23-398. Wells Fargo Bank, N. A. v. Cali K. Cravens, Administratrix of the Estate of Roger L. Cravens, Deceased, from Benton County Circuit Court. Motion of Jorge Rodriguez to withdraw as additional counsel of record for the appellant is granted.

CV-23-553. Bank OZK f/k/a Bank of the Ozarks v. Paul Summers, as Trustee of the Paul Summers Revocable Trust Dated August 19, 2004, on Behalf of Himself and All Other Taxpayers Similarly Situated; Ozark Mountain Solid Waste District; and Carroll County Tax Collector, Kay Phillips, from Carroll County Circuit Court, Eastern District. Motion of separate appellee Paul Summers for consolidation is denied.

CV-23-667. Matthew Fritchie and Katherine Fritchie v. Kipp Hearne and Lisa Hearne, Individually; and Big Sky Family Trust dated September 28, 2020, Kip G. Hearne and Mary E. “Lisa” Hearne as Trustees of the Big Sky Family Trust, from Washington County Circuit Court. Motion of Jorge Rodriguez to withdraw as additional counsel of record is granted.

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CV-23-753. Robert F. Boerner; Kristina Kendall; Joy E. Martsching; Richard L. Martsching; Sherry Lynn Owens; Renita J. Philley Hale; Hans D. Purkott; Ilse M. Purkott; Cynthia L. Schreimel; Ulrich G. Schreimel; Barbara Schuette; Renee Sharboneau; Gary Welch, Either Individually or as Trustee of the Gary Welch Trust; Sharon Williams; Zachary Williams; Ronald E. Rivers; Alice E. Rivers; and Rivers Living Trust, Individually and in Their Capacity as Owners in Stony Brook Chateau Horizontal Property Regime v. Celina Richards; Arlene V. Rose; Terrell M. Rose; Markilyn Davis Spainhour; Edward Tallach; Ellen Tallach; Christie White; and Donald White, from Garland County Circuit Court. Motion of Alexander T. Jones to withdraw as counsel for the appellees is granted.

CV-23-759. JMS Enterprises; Paul Summers, as Trustee of the Paul Summers Revocable Trust dated August 19, 2004; Billie Balke, as Substituted Class Representative for Robert L. Tanner as Trustee of the Robert L. Tanner Revocable Trust dated August 18, 1994; Mark Medley, as Substituted Class Representative for Paul Johnson on Behalf of All Similarly Situated Taxpayers; Wanda Stanford, as Substituted Class Representative for Tanner Family, LLC, on Behalf of All similarly Situated Taxpayers v. Bank OZK f/k/a Bank of The Ozarks, as Trustee for the Bond Holders; Ozark Mountain Solid Waste District; and Arkansas Department of Environmental Quality, from Pulaski County Circuit Court, Sixth Division. Motion of separate appellant Paul Summers for consolidation is denied.

CV-23-814. Bank OZK f/k/a Bank of the Ozarks v. Robert L. Tanner, as Trustee of the Robert L. Tanner Revocable Trust Dated August 19, 1994; and Tanner Family, LLC, on Behalf of Themselves and All Other Taxpayers Similarly Situated; Ozark Mountain Solid Waste District; Boone County Tax Collector, Amy Jenkins; Arkansas Department of Environmental Quality; and Leslie Rutledge, Arkansas Attorney General, from Boone County Circuit Court. Motion of separate appellee Billie Balke for consolidation is denied.

CV-23-832. Charity Tarr v. Arkansas State Board of Nursing, from Pulaski County Circuit Court, Seventeenth Division. Appellant's motion to supplement brief with new case law is granted. Harrison, C.J., not participating.

CV-24-2. Mohammed A. Yafai v. Sonya H. Alammery, Ali Yafai, Mutee Yafai, Abdo Yafai, and Mahdi Saleh, from Pulaski County Circuit Court, Fourteenth Division. Appellant's motion for extension of time to file brief is denied. Gladwin and Barrett, JJ., not participating.

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**PER CURIAM ORDERS**

CV-24-2. Mohammed A. Yafai v. Sonya H. Alammary, Ali Yafai, Mutee Yafai, Abdo Yafai, and Mahdi Saleh, from Pulaski County Circuit Court, Fourteenth Division. Appellant's motion for voluntary dismissal of appeal is granted. Appeal dismissed. Cross-appellants' brief is due September 27, 2024. Gladwin and Barrett, JJ., not participating.

CV-24-46. Ronald E. Nichols v. Janice E. Nichols, from Columbia County Circuit Court. Notice of death of appellee Janice Nichols upon the record is noted. Status report is due October 27, 2024.

CV-24-51. Eastern Equipment, LLC v. William Bryan Bates III, from Scott County Circuit Court. Appellant's motion for belated reply brief is granted. Gruber, Thyer, and Wood, JJ., would deny. Harrison, C.J., not participating. Tendered reply brief filed this date.

CV-24-130. Elizabeth Goode v. Jaya Nair, from Pulaski County Circuit Court, Fourth Division. Appellant's motion to supplement the record with supplemental transcript tendered for filing on July 30, 2024, is granted. Tendered supplemental transcript filed this date. Tendered appellant's brief filed this date.

CV-24-155. Jeremy Lee Hargrove v. Union Pacific Railroad Company, from Pulaski County Circuit Court, Sixth Division. Motion of the Arkansas Trial Lawyers Association to file brief amicus curiae is denied. Viriden, J., not participating.

CV-24-217. Alexakis Conner v. Darrian Conner, from Garland County Circuit Court. Motion of Justin B. Hurst to withdraw as counsel of record and motion for extension of time to file appellee's brief is moot.

CV-24-217. Alexakis Conner v. Darrian Conner, from Garland County Circuit Court. Renewed motion of Justin B. Hurst to withdraw as counsel of record and renewed motion for extension of time to file appellee's brief is granted. Pro se appellee's brief is due October 27, 2024.

CV-24-266. Brandy McCormick (now Horton) v. Joshua Fletcher, from Benton County Circuit Court. Appellant's pro se motion for late submission of appellant's response to appellee's motion to dismiss is moot.



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CV-24-277. Gallo Kanon Thomas v. Charles Anderson, from Union County Circuit Court. Motion of Anthony A. Hilliard to withdraw as counsel for the appellee is granted. Gruber, J., not participating.

CV-24-378. Downtown Texarkana, LLC v. City of Texarkana, Arkansas; and Graylee Construction, from Miller County Circuit Court. Appellant's motion to withdraw and substitute corrected brief is granted. Barrett, J., not participating. Tendered substituted appellant's brief filed this date. Appellees' brief is due September 27, 2024.

CV-24-380. Grace Fenner v. Christopher Fenner, from Benton County Circuit Court. Appellant's motion to correct and modify the record pursuant to Ark. R. App. P. 6(e) and memorandum of authorities is granted in part and denied in part. Supplemental record is due September 27, 2024. Supplemental materials will not be automatically filed under seal. *See* Ark. Sup. Ct. Admin. Order No. 19.

CV-24-448. Jayce Jones v. Amanda Glenn, from Pulaski County Circuit Court, Eleventh Division. Appellee's motion to dismiss appeal is passed until the case is submitted. Gladwin, J., not participating.

CV-24-452. Aiden Jones v. Ashley Zachery, from Johnson County Circuit Court. Appellant's pro se petition for leave to file in forma pauperis is granted. Partial record filed this date as case No. CV-24-452.

CV-24-466. Terrye B. Vowell; David Vowell; and Zachary D. Northcutt d/b/a Zachary D. Northcutt Farms v. Waldrip Lands, LLC, from Lee County Circuit Court. Appellants' petition for writ of certiorari to complete the record is granted. Harrison, C.J., and Thyer, J., not participating. Writ issued; returnable September 27, 2024. Appellants' brief is due thirty days after the writ is returned and the electronic supplemental record is filed.

CV-24-472. Penske Logistics, Inc.; Old Republic Insurance Company; and Gallagher Bassett Services, TPA v. Jason House, from the Arkansas Workers' Compensation Commission. Appellants' motion to remand is granted. Status report is due October 27, 2024.

E-24-139. Bruce Blair v. Director et al., from the Arkansas Board of Review. Petitioner's pro se petition for belated appeal is denied.

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**Pursuant to Rule 4-5 of the Rules of the Supreme Court and Court of Appeals, the following case has been dismissed for failure to file an appellant's brief.**

CV-22-378. Holly Ellis and Jeremy Ellis v. Matthew Davis, from Greene County Circuit Court. Thyer, J., not participating.

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**MOTIONS SUBMITTED**

CR-23-816. Zereak Oliver v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Appellee's motion for remand to settle and supplement the record to comply with Ark. Sup. Ct. R. 3-4(c)(2) and for extension of brief time.

CR-24-273. Paul Brown v. State of Arkansas, from Crawford County Circuit Court. Appellant's motion to consolidate.

CR-24-292. Paul Brown v. State of Arkansas, from Crawford County Circuit Court. Appellant's motion to consolidate.

CR-24-334. John Sanders v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Brian Miles to be relieved as counsel.

CR-24-371. Donald Lee Camp v. State of Arkansas, from Perry 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-23-367. 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 dismiss appeal.

CV-24-162. Luciana Frazier v. The LJ & Gloria Randle Trust, from Jefferson County Circuit Court. Appellant's pro se renewed motions as a matter of law with addendum exhibits.

CV-24-498. Jonathan Kirk Cupp and Ashley Cupp v. Chad Register; Amy Register; Phillip Greer; and Gretchen Greer, from Greene County Circuit Court. Appellants' motion to stay pending appeal.

CV-24-504. Charles Hamner v. Arkansas County Sheriff's Department and Detention Facility; and Employees Dean Mannis, Chris Pollard, Patricia Snyder, Peggy Pitts, and Johnny Cheek, sued in their personal capacity, from Arkansas County Circuit Court, Southern District. Appellant's pro se motion to lodge record and file appellant's reply brief.

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**MOTIONS SUBMITTED**

CV-24-516. Arkansas Oil and Gas Commission; State of Arkansas; and First National Bank of Fort Smith v. Jeff Fenwick, from Sebastian County Circuit Court, Fort Smith District. Appellee's motion to docket and dismiss appeal.

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**CASES SUBMITTED**

CR-23-609. Minor Child v. State of Arkansas, from White County Circuit Court.

CR-23-669. Claude Michael Morgan v. State of Arkansas, from Phillips County Circuit Court.

CR-23-839. Tre'lon Lovell Neal v. State of Arkansas, from Drew County Circuit Court.

CV-22-125. Jade Property Holdings, LLC; Jonathan J. Dunkley; Jacquelyn Casting Dunkley; Bellatori, LLC; Bill's Fence Company, Inc.; Lewis Jones d/b/a Lewis Jones Masonry; and Tenants of 1104 East Race, Searcy, Arkansas v. First Service Bank, from White County Circuit Court.

CV-22-605. Estate of Mrs. George Howard, Jr. (Vivian) v. Dr. John Harris, from Jefferson County Circuit Court.

CV-22-714. Mary Corrine Smart-Moore v. James Moore, from Pulaski County Circuit Court, Fourteenth Division.

CV-23-87. E.J. Swaffer v. Bruce White, from Faulkner County Circuit Court.

CV-23-169. East Macedonia Baptist Church, Incorporated; and Clifton Hayes v. Todd Allen Pettit; Stracener Family Revocable Family Trust; and David Stracener, Trustee, from Lonoke County Circuit Court.

CV-23-198. Sharon Denise Duke v. Ronald Jay Mullis, M.D., Individually; North Hills Surgery Center, L.L.C.; Ozark Surgical Associates LLC; Ronald Jay Mullis, P.A.; Washington Regional Medical Center; Lammico Risk Retention Group, Inc.; and John/Jane Does 1–10, from Washington County Circuit Court.

CV-23-224. Allyson Scott v. Richard Barnes, from Pulaski County Circuit Court, Ninth Division.

CV-23-380. City of Rogers, Arkansas v. Abigail Powell, Trustee of the Abigail Ruth Powell Revocable Trust U/D November 15, 2001; and The Cincinnati Indemnity Company, from Benton County Circuit Court.

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**CASES SUBMITTED**

CV-24-201. Bernice Coston v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court.

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

E-23-299. Larry Smith v. Director et al.

E-23-307. Hourglass Escape Rooms v. Director et al.

E-23-308. Cassandra White v. Director et al.

E-23-309. Kara Selby v. Director et al.

E-23-310. Sidney Brooke v. Director et al.

E-23-311. Sidney Brooke v. Director et al.

E-23-312. Jeffrey Cagle v. Director et al.

E-23-317. Thushunda Marks v. Director et al.

E-23-318. Kenneth McClain v. Director et al.

E-23-320. Wendye Fair v. Director et al.

E-23-322. Scott McFadden v. Director et al.

E-23-325. Michelle Mora v. Director et al.