

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF DECEMBER 11, 2024

BRANDON J. HARRISON, CHIEF JUDGE:

[CR-24-152](#). Steven Ray Wood v. State of Arkansas, from Scott County Circuit Court. Affirmed. Klappenbach and Murphy, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-23-413](#). Melissa Kopaska v. Paula McNeil, from Benton County Circuit Court. Affirmed. Gladwin and Wood, JJ., agree.

BART F. VIRDEN, JUDGE:

[CR-24-251](#). Jonathan Rolfe v. State of Arkansas, from St. Francis County Circuit Court. Remanded with instructions. Klappenbach and Barrett, JJ., agree.

[CV-23-247](#). Lucinda Hammat Harts; Suzanne C. Peterson; Eric P. Peterson; and Christopher T. Houser v. Caroline H. Damsky, as Trustee of the Caroline Damsky Living Trust Dated 6/03/99; James M. Berman; ACC Legacy, LLC, by Elizabeth Gallic, Managing Member; and Shale Royalty, LLC, from Cleburne County Circuit Court. Affirmed. Klappenbach and Barrett, JJ., agree.

[CV-24-467](#). Rebecca Beanblossom v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Klappenbach and Barrett, JJ., agree.

[E-23-263](#). City of Fort Smith v. Director, Division of Workforce Services; and Martin Bosco, from the Arkansas Board of Review. Affirmed. Klappenbach and Barrett, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CR-23-833](#). James Nowlin v. State of Arkansas, from Little River County Circuit Court. Affirmed. Thyer and Hixson, JJ., agree.

[CR-24-124](#). Ricky Bradsher v. State of Arkansas, from Yell County Circuit Court, Northern District. Affirmed. Thyer and Hixson, JJ., agree.

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N. MARK KLAPPENBACH, JUDGE:

[CR-24-195](#). Calvin Tillman v. State of Arkansas, from Phillips County Circuit Court. Affirmed. Virden and Barrett, JJ., agree.

[CV-24-510](#). Samantha Ealy v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Virden and Barrett, JJ., agree.

STEPHANIE POTTER BARRETT, JUDGE:

[CV-23-547](#). Kristen McGregor Cline (Formerly Simpson) v. Leonard “Dale” Simpson, from Benton County Circuit Court. Affirmed in part; modified in part. Virden and Klappenbach, JJ., agree.

[E-23-379](#). Crystal Watson v. Director, Division of Workforce Services; and Peco Foods, Inc., from the Arkansas Board of Review. Affirmed. Virden and Klappenbach, JJ., agree.

CINDY GRACE THYER, JUDGE:

[CR-23-700](#). Jennifer Leigh Hill v. State of Arkansas, from Ashley County Circuit Court. Affirmed. Gladwin and Hixson, JJ., agree.

[CR-24-26](#). Joseph Rodriguez-Berdecia v. State of Arkansas, from Washington County Circuit Court. Affirmed. Klappenbach and Wood, JJ., agree.

[CV-23-772](#). Kevin Cheri v. Laura Cheri, from Boone County Circuit Court. Dismissed. Gladwin and Hixson, JJ., agree.

[E-23-321](#). Mittie Owen v. Director, Division of Workforce Services, from the Arkansas Board of Review. Affirmed. Gladwin and Hixson, JJ., agree.

WENDY SCHOLTENS WOOD, JUDGE:

[CV-22-421](#). Shelley Diane Cooper and Annette Michelle Edelen v. Casey Bryant, Personal Representative of the Estate of Horace E. Bryant, Deceased; and Nancy Elizabeth Edelen, from Benton County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

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WENDY SCHOLTENS WOOD, JUDGE: (continued)

[CV-23-750](#). Booneville Human Development Center and Arkansas Insurance Department, Public Employee Claims Division v. Jimmy Foster, from the Arkansas Workers' Compensation Commission. Affirmed in part; reversed in part. Murphy and Brown, JJ., agree.

[CV-24-410](#). Kintina Jodi v. Arkansas Department of Human Services and Minor Children, from Greene County Circuit Court. Affirmed. Murphy and Brown, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-22-789](#). Angela Styles v. James Styles, from Pope County Circuit Court. Dismissed. Gladwin and Thyer, JJ., agree.

[CV-23-442](#). (In the Matter of the Estate of Eric Stalin Edowu Johnson, Deceased) Sesin Johnson v. Delin Johnson, from Pulaski County Circuit Court, Ninth Division. Dismissed. Gladwin and Thyer, JJ., agree.

[CV-23-505](#). J&C Motors of Morrilton, LLC, d/b/a Jay Hodge Ford of Morrilton v. Austin Kenway Clagett and Morrilton Golf and Country Club, from Faulkner County Circuit Court. Reversed and remanded. Barrett and Brown, JJ., agree.

[CV-23-689](#). Jose Perez v. Southern Tire Mart, LLC; and Liberty Mutual Insurance Company, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Thyer, JJ., agree.

MIKE MURPHY, JUDGE:

[CR-24-293](#). Daion Morehead v. State of Arkansas, from Garland County Circuit Court. Affirmed. Wood and Brown, JJ., agree.

[CV-23-466](#). Matthew Kuser v. Dr. Gregory Guisbiers, from Saline County Circuit Court. Reversed and remanded in part; dismissed in part. Wood and Brown, JJ., agree.

[CV-24-22](#). Tiffany Croley v. Joshua Fenech, from Washington County Circuit Court. Affirmed. Abramson, Gladwin, and Wood, JJ., agree. Brown, J., dissents.

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MIKE MURPHY, JUDGE: (continued)

[CV-24-376](#). Marselina Ibarra v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Wood and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-23-805](#). Larry Cossey v. State of Arkansas, from Pope County Circuit Court. Affirmed. Barrett and Hixson, JJ., agree.

[CV-23-707](#). Kara McMillan v. Tina McMillan, from Saline County Circuit Court. Appeal dismissed; motion denied. Wood and Murphy, JJ., agree.

[CV-24-412](#). Antonia Daniel Cornier v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Wood and Murphy, 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-23-187. Jennifer Barnes v. Director et al.

E-23-188. Jennifer Barnes v. Director et al.

E-24-18. Myron Robinson v. Director et al.

E-24-20. Lance Luplow v. Director et al.

E-24-26. Rosalyn Delph v. Director et al.

E-24-28. David Wayne Ladd v. Director et al.

E-24-48. Denise Lambert v. Director et al.

E-24-49. Euangdoy Oudomvilay v. Director et al.

E-24-50. Clifton Parker v. Director et al.

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- E-24-51. James Katherine v. Director et al.
- E-24-52. Angela DePriest v. Director et al.
- E-24-53. Leovanni Paraham v. Director et al.
- E-24-54. Leovanni Paraham v. Director et al.
- E-24-56. Derick Gardner v. Director et al.
- E-24-57. Joni Devors v. Director et al.
- E-24-58. Nikki Roseby v. Director et al.
- E-24-59. Eric Mays v. Director et al.
- E-24-60. Ronald Anthony v. Director et al.
- E-24-61. Latoyia Clark v. Director et al.
- E-24-62. Millicent D. Lancaster v. Director et al.
- E-24-63. Jean Wimbley v. Director et al.
- E-24-64. Seth Aneo v. Director et al.
- E-24-65. August Marshall v. Director et al.
- E-24-66. Elbony Taylor v. Director et al.
- E-24-67. Amanda Brimer v. Director et al.
- E-24-68. Amanda Brimer v. Director et al.
- E-24-71. Janice Boyn Duncan v. Director et al.
- E-24-73. Tiffany Campbell v. Director et al.
- E-24-74. Peggy Clemons v. Director et al.

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E-24-75. Peggy Clemons v. Director et al.

E-24-76. Travis McClintock v. Director et al.

E-24-77. Corey Williams v. Director et al.

E-24-78. Corey Willams v. Director er al.

E-24-79. Ricky Winkles Jr. v. Director et al.

E-24-80. Tyrone Robertson v. Director et al.

E-24-81. Sha Sha Wofford v. Director et al.

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PER CURIAM ORDERS

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

CR-23-791. Lorenzo Lamont Allen v. State of Arkansas, from Crittenden County Circuit Court. Thyer, J., not participating.

CV-23-436. Randy Davis v. Susan Morton, from Faulkner County Circuit Court.

CV-23-542. Hershel Hice v. Logan County and Association of Arkansas Counties, from the Arkansas Workers' Compensation Commission. Hixson, J., not participating.

CR-23-593. Steven Ray Casey v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Motion of Jake Holmes for award of attorney's fees is moot. Thyer, J., not participating.

CR-23-593. Steven Ray Casey v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Amended motion of Jake Holmes for award of attorney's fees is granted. Allowed \$2,500. Thyer, J., not participating.

CR-23-800. Bradley Uren v. State of Arkansas, from Baxter County Circuit Court. Appellee's third motion for extension of time to settle and supplement the record is granted. Electronic supplemental record is due February 9, 2025. Final extension.

CR-23-819. Kathy Hicks v. State of Arkansas, from Faulkner County Circuit Court. Motion of Rebekah Kennedy for attorney fees is granted. Allowed \$2,500.

CR-23-827. Larry Shields v. State of Arkansas, from Craighead County Circuit Court, Eastern District. Motion of Terry Goodwin Jones for attorney's fees is granted. Allowed \$2,500. Thyer, J., not participating.

CR-24-61. Stuart Morton v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fees is granted. Allowed \$2,500. Thyer, J., not participating.

CR-24-73. Chandra Williams v. State of Arkansas, from Crawford County Circuit Court. Motion of Clint Lancaster for attorney's fees is granted. Allowed \$2,500.

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CR-24-300. Justin Hellyer v. State of Arkansas, from Washington County Circuit Court. Motion of D. Franklin Arey III for attorney's fees is granted. Allowed \$2,500.

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

CR-24-554. Robert Herrington v. State of Arkansas, from Montgomery 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 denied. Klappenbach, J., not participating.

CR-24-575. Douglas Wayne Black v. State of Arkansas, from Washington County Circuit Court. Appellant's pro se motion for belated appeal and appointment of counsel on appeal is denied.

CR-24-627. Brian K. Southard v. State of Arkansas, from Greene County Circuit Court. Appellee's motion to dismiss or, in the alternative, motion for extension of time in which to file brief is granted. Appeal dismissed. Thyer, J., not participating.

CR-24-651. Sunil Kumar v. State of Arkansas, from Miller County Circuit Court. Appellant's pro se motion for permission to file brief in chief with attached addendum with exhibits is denied. Virden and Barrett, JJ., not participating. Compliant appellant's brief is due December 26, 2024.

CR-24-709. Kenneth Murry v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se petition for writ of certiorari to complete the record is granted. Writ issued; returnable in thirty days (January 10, 2025).

CR-24-746. Tyler Chandler v. State of Arkansas, from Washington County Circuit Court. Appellant's motion for belated appeal is granted. Record filed in the Arkansas Court of Appeals this date as case No. CR-24-746. Appellant's brief is due January 20, 2025.

CR-24-756. Malik R. Dority v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Appellant's petition for writ of certiorari to complete the record or, in the alternative, motion to remand to settle the record is granted. Thyer, J., not participating. Writ issued; returnable in thirty days (January 10, 2025).

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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 is noted. Status report is due March 11, 2025.

CV-22-648. Kimbra Dolan v. Lichtsinn Motors, Inc.; Winnebago Industries, Inc.; Mercedes-Benz, USA, LLC; and Leslie Dolan, from Pulaski County Circuit Court, Eleventh Division. Motion of separate appellees Lichtsinn Motors, Inc., and Winnebago Industries, Inc., for leave to file belated response to appellant's petition for rehearing or alternatively motion for extension of time to respond is moot.

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

CV-24-162. Luciana Frazier v. The LJ & Gloria Randle Trust, from Jefferson County Circuit Court. Appellant's pro se motion to correct add into motion for reinstatement of appeal is denied.

CV-24-320. George Rothwell v. Terry Rothwell, from Pulaski County Circuit Court, Fourteenth Division. Appellee's motion to expand word count limit is denied. Gladwin and Murphy, JJ., not participating.

CV-24-320. George Rothwell v. Terry Rothwell, from Pulaski County Circuit Court, Fourteenth Division. Appellee's motion for extension of time to file appellee's brief is granted. Gladwin and Murphy, JJ., not participating. Compliant appellee's brief is due January 10, 2025.

CV-24-726. Eddie Briley, Jr. v. Arkansas Department of Human Services and Minor Child, from Jefferson County Circuit Court. Appellant's pro se motion for belated appeal is moot.

CV-24-726. Eddie Briley, Jr. v. Arkansas Department of Human Services and Minor Child, from Jefferson County Circuit Court. Appellant's pro se amended motion for belated appeal is moot.

CV-24-726. Eddie Briley, Jr. v. Arkansas Department of Human Services and Minor Child, from Jefferson County Circuit Court. Appellant's pro se motion for extension of time to file brief is moot.

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PER CURIAM ORDERS

In re Retirement of Judge Rita W. Gruber. See [per curiam](#) this date.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-23-394. Rachel Hawkins-Luckett, Individually and as Personal Representative of the Estate of Eula Maw Hawkins, Deceased v. Crossett Health Foundation; Lon Bitzer, M.D.; Chinedu Ede, M.D.; Rebecca West, R.N.; Dana Cross, L.P.N.; Carolyn Watt, R.N.; and Rebecca Ledbetter, L.P.N., from Ashley County Circuit Court.

CV-24-330. Cornelious Hardaway v. Arkansas Department of Human Services and Minor Child, from Woodruff County Circuit Court.

CR-24-18. Tyler Crider v. State of Arkansas, from Polk County Circuit Court. Motion of Sharon Kiel for award of attorney's fees.

CR-24-57. Michael McKee v. State of Arkansas, from Craighead County Circuit Court, Western District. Motion of Terry Goodwin Jones for attorney's fees.

CR-24-411. Wayne Weeks v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion for extension of time to file appellant's brief.

CR-24-694. Charles Baugher, Jr. v. State of Arkansas, from Montgomery County Circuit Court. Appellee's petition for writ of certiorari to complete the record.

CR-24-759. State of Arkansas v. Valencia Kay Coleman, from Pulaski County Circuit Court, Seventh Division. Motion of Matthew G. French for entry of appearance.

CR-24-774. Emmit McKinley v. State of Arkansas, from Drew County Circuit Court. Appellant's pro se motion for rule on clerk.

CR-24-774. Emmit McKinley v. State of Arkansas, from Drew County Circuit Court. Appellant's pro se motion for appointment of counsel.

CV-24-272. Trenton Simshauser v. Michelle Simshauser, from Garland County Circuit Court. Motion for consolidation of appeals and records on appeal.

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MOTIONS SUBMITTED

CV-24-458. Teresa Lathem v. Arkansas Health Group a/k/a and d/b/a Greenbrier Family Clinic, from Faulkner County Circuit Court. Appellee's motion to dismiss the appeal.

CV-24-458. Teresa Lathem v. Arkansas Health Group a/k/a and d/b/a Greenbrier Family Clinic, from Faulkner County Circuit Court. Appellant's motion to dismiss appeal.

CV-24-601. (In the Matter of the Estate of Philip D. Duvall, Deceased) Wiley Duvall v. Greg Duvall, from Grant County Circuit Court. Appellee's motion to accept belated brief.

CV-24-607. Trenton Simshauser v. Michelle Simshauser, from Garland County Circuit Court. Motion for consolidation of appeals and records on appeal.

CV-24-621. Lana Sue Fultz and Janet Fultz Johnson v. David L. Cohick, Jr., and Virginia Cohick, from Carroll County Circuit Court, Eastern District. Appellee's motion to file belated brief.

CV-24-781. Alton C. Camp v. Kathy Camp, from Faulkner County Circuit Court. Appellant's motion for belated appeal.

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CASES SUBMITTED

CR-22-716. Lamiesha Toney v. State of Arkansas, from Jefferson County Circuit Court.

CR-23-271. Donald Ray Mouse, Jr. v State of Arkansas, from Benton County Circuit Court.

CR-24-4. Ivan Santos v. State of Arkansas, from Crawford County Circuit Court.

CR-24-55. Lynn Eugene Young v. State of Arkansas, from Izard County Circuit Court.

CR-24-63. James Kelly v. State of Arkansas, from Sevier County Circuit Court.

CR-24-119. Richard Lee Beavers v. State of Arkansas, from Crittenden County Circuit Court.

CR-24-125. Zachary Scott Shipley v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-24-181. Thomas Martin Ellis v. State of Arkansas, from Drew County Circuit Court.

CR-24-242. Raul Aargon Castro v. State of Arkansas, from Searcy County Circuit Court.

CR-24-308. Irving Williams v. State of Arkansas, from Garland County Circuit Court.

CR-24-327. Michael Preston Carter v. State of Arkansas, from Ashley County Circuit Court.

CR-24-328. Michael Preston Carter v. State of Arkansas, from Ashley County Circuit Court.

CR-24-361. Jonathan Kavon Richmond v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CV-24-218. Michael Attebery v. Arkansas Department of Human Services and Minor Child, from Franklin County Circuit Court.

CV-24-342. Brianna Butler v. Arkansas Department of Human Services and Minor Children, from Logan County Circuit Court, Southern District.

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CASES SUBMITTED

CV-24-526. Angela Michelle Norris v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court.

CV-24-530. Shanda Lynn Thrower v. Arkansas Department of Human Services and Minor Child, from Van Buren County Circuit Court.

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

E-24-82. Charles Watts v. Director et al.

E-24-83. Charles Watts v. Director et al.

E-24-85. Larry Buckman v. Director et al.

E-24-86. Tenesha Hill v. Director et al.

E-24-87. Felicia Bordueax v. Director et al.

E-24-88. Sherri Malotte v. Director et al.

E-24-89. Christopher Hall v. Director et al.

E-24-94. Kerri Walker v. Director et al.

E-24-95. Kerri Walker v. Director et al.