

Cite as 2026 Ark. 51

SUPREME COURT OF ARKANSAS

No. CV-25-285

BENTON SCHOOL DISTRICT; LORI
BACON, IN HER INDIVIDUAL AND
OFFICIAL CAPACITY; AND LITA
GATTIS, IN HER INDIVIDUAL AND
OFFICIAL CAPACITY

APPELLANTS

V.

BRANDI GREER

APPELLEE

Opinion Delivered: March 12, 2026

APPEAL FROM THE SALINE
COUNTY CIRCUIT COURT
[NO. 63CV-20-522]

HONORABLE BRENT DILLON
HOUSTON, JUDGE

REVERSED AND DISMISSED.

RHONDA K. WOOD, Associate Justice

This is an appeal concerning the award of \$106,959.79 in attorneys’ fees and costs to the appellee, Brandi Greer. Today this court reversed the merits of the underlying judgment in a companion case, No. CV-25-11. *See Benton Sch. Dist. v. Greer*, 2026 Ark. 53, ___ S.W.3d ___. Greer is no longer the prevailing party. We have held that when we reverse a judgment in favor of a prevailing party, the attorneys’-fees award “must also be reversed,” and it is unnecessary to consider the arguments regarding the award of the fees and costs. *Pettus v. McDonald*, 343 Ark. 507, 516–17, 36 S.W.3d 745, 751 (2001). Accordingly, we reverse and dismiss the award of attorneys’ fees and costs in its entirety.

Reversed and dismissed.

BAKER, C.J., concurs.

HUDSON, J., dissents.

COURTNEY RAE HUDSON, Justice, dissenting. The majority reverses and dismisses the award of attorneys' fees and costs on the ground that appellee Brandi Greer is no longer the prevailing party in the underlying case, No. CV-25-11. *See Benton Sch. Dist. v. Greer*, 2026 Ark. 53, ___ S.W.3d ___. As I explained in that case, I would affirm in part and reverse in part. Accordingly, I would reverse the circuit court's order awarding attorneys' fees and costs and remand for consideration of the fee petition in light of that outcome.

I respectfully dissent.

Taylor & Taylor Law Firm, P.A., by: *Jennifer Williams Flynn, Tory H. Lewis, Andrew M. Taylor*, and *Tasha C. Taylor*, for appellants.

Sutter & Gillham, P.L.L.C., by: *Luther Oneal Sutter* and *Lucien Gillham* for appellee.