

ARKANSAS COURT OF APPEALS, DIVISION III

Gracie Dent v. Conway Regional Medical Center, Inc., d/b/a Conway Regional Health Center; Katie Hunt; Conway Regional Rehabilitation Center; Jason Skinner, M.D.; Adam Cox, M.D.; Brock King; and Copic, a Risk Retention Group

Gracie Dent v. Conway Regional Medical Center, Inc., 2026 Ark. App. 15 · No. CV-24-393 · Decided January 14, 2026

SUMMARY

The Arkansas Court of Appeals affirmed the dismissal with prejudice of Gracie Dent’s medical-malpractice claims against Conway Regional Medical Center and other defendants. The court held that Dent failed to establish good cause for extending the service period under Arkansas Rule of Civil Procedure 4(i), and that the John Doe statute and Rule 15(c) did not permit her claims against the subsequently named defendants to relate back. The court also concluded that the statute of limitations barred the claims.

CASE DETAILS

COURT	Arkansas Court of Appeals, Division III
WRITING FOR THE COURT	Stephanie Potter Barrett, Judge; Chief Judge Klappenbach; Judge Hixson
JURISDICTION	Arkansas Court of Appeals, Division III
DECIDED	January 14, 2026
DOCKET	CV-24-393
DISPOSITION	affirmed
PROCEDURAL POSTURE	Dent appealed orders of the Faulkner County Circuit Court dismissing with prejudice her medical-malpractice claims against Conway Regional Medical Center and other defendants, including orders granting summary judgment to Adam Cox and Jason Skinner.

STANDARD OF REVIEW	When a circuit court considers matters outside the pleadings, a motion to dismiss is treated as a motion for summary judgment. Summary judgment is reviewed under the applicable summary-judgment standard; the circuit court's Rule 15(a) decision is sustained absent a manifest abuse of discretion. Preservation principles preclude appellate review of an issue on which the circuit court did not rule.
PRECEDENTIAL VALUE	published
PARTIES	Gracie Dent v. Conway Regional Medical Center, Inc., d/b/a Conway Regional Health Center, Katie Hunt, Conway Regional Rehabilitation Center, Jason Skinner, M.D., Adam Cox, M.D., Brock King, Copic, a Risk Retention Group

TOPICS

service of process statute of limitations medical malpractice summary judgment appellate procedure

PRACTICE AREAS

civil procedure medical malpractice appellate procedure statutory interpretation

QUESTIONS PRESENTED

1. Whether the circuit court erred in dismissing Conway Regional Medical Center with prejudice when Dent obtained an extension of time for service but did not make a contemporaneous showing of good cause under Arkansas Rule of Civil Procedure 4(i).
2. Whether Dent could rely on the circuit court's extension order despite the court's later determination that service was untimely.
3. Whether dismissal of Conway Regional Medical Center should have been without prejudice when the statute of limitations had run.
4. Whether the John Doe statute and Arkansas Rule of Civil Procedure 15(c) allowed Dent's later substitution of Katie Hunt, Adam Cox, Jason Skinner, Brock King, Conway Regional Rehabilitation Center, and Copic to relate back to the original complaint.
5. Whether the dismissals of the substituted defendants should have been without prejudice.

HOLDINGS

1. A plaintiff seeking an extension of the 120-day service period under Rule 4(i) must timely file the motion for extension and make a showing of good cause before the extension order is entered. An extension order alone is insufficient.
2. The appellate court will not address an argument that the circuit court's extension order created a right of reliance when the circuit court did not rule on that argument.

3. Although Rule 4(i) generally provides for dismissal without prejudice for failure to obtain timely service, dismissal with prejudice is proper when the action is otherwise barred by the statute of limitations.
4. A plaintiff may use the John Doe statute only when the tortfeasor's identity is unknown and must also satisfy the requirements of Rule 15(c). Relation back requires that the claim arise from the original conduct, the added party receive timely notice without prejudice, the added party know or should know that it would have been named but for a mistake concerning identity, and the latter two requirements be satisfied within 120 days after the original complaint.
5. The circuit court properly dismissed or granted summary judgment to defendants whose alleged treatment did not occur during the period identified in Dent's complaint.

KEY QUOTATIONS

“Thus, King demonstrates that two things are required by Rule 4(i) to obtain an extension of the period for service: (1) the timely filing of a motion for extension and (2) a showing of good cause.” (at 4)

“Without a contemporaneous showing of good cause to grant the extensions, Dent has failed to strictly comply with the service requirements of Rule 4(i).” (at 5)

“The dismissal-without-prejudice language in Rule 4(i) does not apply if a plaintiff’s action is otherwise barred by the running of a statute of limitations.” (at 7)

FACTUAL BACKGROUND

Dent alleged that she suffered medical malpractice during treatment occurring between July 4 and August 1, 2020, and filed suit against Conway Regional Medical Center and John Doe defendants on June 23, 2022. She sought an extension of time to serve the defendants, citing extensive medical records, difficulty identifying responsible parties, and difficulty communicating with counsel while in and out of the hospital. She later identified and substituted several medical providers and Copic, but the appellate court concluded that the service and relation-back requirements were not satisfied and that some defendants did not treat Dent during the period alleged in the complaint.

PROCEDURAL HISTORY

Dent filed her original complaint on June 23, 2022, naming Conway Regional Medical Center and John Doe defendants and alleging medical malpractice occurring between July 4 and August 1, 2020. The circuit court granted an extension of time for service, but later dismissed Conway Regional with prejudice for failure to strictly comply with Arkansas Rule of Civil Procedure 4(i). Dent subsequently substituted named defendants for the John Doe defendants. The circuit court granted summary judgment or dismissal in favor of the remaining defendants, concluding that the claims were barred by the statute of limitations and that the John Doe statute and Rule 15(c) did not permit relation back. The Arkansas Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- Chambers v. Stern, 347 Ark. 395, 400–01, 64 S.W.3d 737, 740 (2002)
- Hickey v. Gardisser, 2010 Ark. App. 464, 375 S.W.3d 733 (2010)
- King v. Carney, 341 Ark. 955, 20 S.W.3d 341 (2000)
- Henyan v. Peek, 359 Ark. 486, 199 S.W.3d 51 (2004)
- McCue v. Dominguez, 2022 Ark. App. 332, 653 S.W.3d 372
- Davenport v. Usselton, 2014 Ark. App. 148
- Neal v. Sparks Reg'l Med. Ctr., 2012 Ark. 328, 422 S.W.3d 116
- Bodiford v. Bess, 330 Ark. 713, 956 S.W.2d 861 (1997)
- Stephens v. Petrino, 350 Ark. 268, 86 S.W.3d 836 (2002)
- Thompson v. Dunn, 319 Ark. 6, 889 S.W.2d 31 (1994)

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