

# ARKANSAS COURT OF APPEALS

Opinions delivered  
September 8, 2010

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## LARRY D. VAUGHT, CHIEF JUDGE:

CA09-1336. Thomas Carter, et al. v. Simmons First National Corporation, et al., from Jefferson Circuit. Appeal dismissed. Gruber and Brown, JJ., agree.

## JOHN MAUZY PITTMAN, JUDGE:

CACR10-114. Richard Lee Pyles v. State of Arkansas, from Sebastian Circuit. Affirmed. Robbins and Kinard, JJ., agree.

## JOSEPHINE LINKER HART, JUDGE:

CA09-1110. Patricia A. Rhodes v. Kelvin E. Rhodes, from Pulaski Circuit, Ninth Division. Reversed and remanded. Glover and Henry, JJ., agree.

## ROBERT J. GLADWIN, JUDGE:

CA09-1315. Jean Martin v. Janis Blankenship, from Lonoke Circuit. Dismissed. Robbins and Baker, JJ., agree.

## JOHN B. ROBBINS, JUDGE:

CA09-1393. Janette Hopkins v. Jonathan Hopkins, from Baxter Circuit. Affirmed. Gladwin and Baker, JJ., agree.

## RITA W. GRUBER, JUDGE:

CA10-148. Jerry Passmore, Trustee of the Jerry & Gail Passmore Family Trust v. Johnny Hinchey, individually and in his official capacity as county judge of Searcy County, Arkansas, and his agents, servants, and employees, from Searcy Circuit. Reversed and remanded. Vaught, C.J., and Brown, J., agree.

## COURTNEY HUDSON HENRY, JUDGE:

CACR10-139. Larry Joe Dunlap v. State of Arkansas, from Saline Circuit. Affirmed. Hart and Glover, JJ., agree.

## WAYMOND M. BROWN, JUDGE:

CACR09-1386. Emmett Lee Hillard v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Vaught, C.J., and Gruber, J., 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(b).**

E10-29. Anne Knight v. Director, et al.

E10-30. Branda L. Lowe v. Director, et al.

E10-31. Joey E. Presley v. Director, et al.

E10-32. Debbie Jenkins v. Director, et al.

E10-33. Maria S. Tapia v. Director, et al.

E10-34. Theda L. Reddin v. Director, et al.

E10-35. George's, Inc. v. Director, et al.

E10-36. Charles E. Promise v. Director, et al.

E10-37. Rickey L. White v. Director, et al.

E10-38. Charles H. Ridgell v. Director, et al.

E10-40. Frank M. Morris v. Director, et al.

**PER CURIAM ORDERS**

CACR10-176. Steven Robert Chism v. State of Arkansas, from Perry Circuit. Appellee's motion to dismiss appeal is granted.

CACR10-205. Louis Cortis Townsell v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellant's pro se motion to relieve attorney and to file a pro se supplemental brief is denied.

CACR10-787. Donnie Ray Slater v. State of Arkansas, from Arkansas Circuit, Southern District. Motion of Dennis Molock to withdraw as attorney for appellant, for appointment of counsel and to stay brief time is granted. Ms. Marjorie Fisher Rogers is appointed to represent appellant. Appellant's brief due October 18, 2010.

CACR10-787. Donnie Ray Slater v. State of Arkansas, from Arkansas Circuit, Southern District. Appellant's pro se motion for extension of time on direct appeal. Moot.

CACR10-845. David Ted Green v. State of Arkansas, from Faulkner Circuit. Motion of Lynn F. Plemmons to be relieved as counsel for appellant and for appointment of appellate counsel is granted. Mr. John Ogles is appointed to represent appellant. Appellant's brief due October 18, 2010.

CA09-1363. Marx Real Estate Investments, LLC et al. v. Dr. Victor Coloso and Regina Coloso, from Sebastian Circuit, Fort Smith District. Motion of Appellees/Cross-Appellants to expand page limit and for extension of time to file brief is granted. Page limit expanded to thirty five pages. Expanded brief due September 30, 2010.

CA10-398. Yanmar Co., LTD et al. v. Wanda H. Slater, from Jefferson Circuit. Appellee's motion to file brief in excess of page limits is granted. Pittman, J., not participating.

CA10-568. Martin Wills v. Janet Lacefield, from Baxter Circuit. Appellee's motion to file belated brief is granted. Brief filed this date.

E10-23. Guy D. Czajka v. Director et al., from Board of Review. Appellant's pro se motion to supplement the record, for extension of brief time and for documentation. Remanded to the Arkansas Board of Review to settle the record. Record on remand due within thirty days. Appellant's brief due within thirty days thereafter.

### **MOTIONS SUBMITTED**

CACR08-1374. James Clayton Solomon v. State of Arkansas, from Washington Circuit. Motion of David L. Dunagin for attorney's fees.

CACR10-81. Phillip W. Holloway v. State of Arkansas, from Scott Circuit. Motion of Eddie N. Christian and Matthew Horan to be substituted as counsel for appellant.

CACR10-570. Theodore Metcalf v. State of Arkansas, from Pulaski Circuit, Second Division. Appellant's motion to supplement the record.

CACR10-718. Tyrone McGraw v. State of Arkansas, from Pulaski Circuit, Second Division. Motion of Terrence Cain for entry of appearance as attorney for appellant and for brief time.

CACR10-787. Donnie Ray Slater v. State of Arkansas, from Arkansas Circuit, Southern District. Appellant's pro se motion to reduce appeal bond.

CA10-95. Foremost Insurance Company et al. v. Evelyn J. Chivers, et al., from Miller Circuit. Joint motion to remand to the trial court for further proceedings.

CA10-126. Sandra Forde Beckworth et al. v. Diamante Golf Club, LLC et al., from Saline Circuit. Appellees' motion for stay.

CA10-126. Sandra Forde Beckworth et al. v. Diamante Golf Club, LLC et al., from Saline Circuit. Appellees' motion to supplement supplemental addendum.

CA10-478. Norman E. Bundy, Jr. v. Pat Moody, from Jackson Circuit. Appellant's motion to advance or expedite .

CA10-568. Martin Donald Wills v. Janet F. Lacefield, from Baxter Circuit. Appellee's pro se motion to strike three pages of appellant's statement of the case.

CA10-609. Boyd-Corley Construction, LLC et al. v. Orange State Realty, Inc. et al., from Union Circuit. Appellees' motion to dismiss appeal and to extend brief time.

CA10-739. D. B., a Minor v. State of Arkansas , from Scott Circuit. Appellee's motion for compliance with Administrative Order 19 and the rules governing contents of briefs.

CA10-750. Arkansas Research Medical Testing, LLC. et al. v. William Jennings B. Osborne et al., from Pulaski Circuit, First Division. Appellant's motion to file supplemental record.

CA10-776. Troy Cobren v. Laura Anderson, from Yell Circuit, Northern District. Appellee's motion to dismiss appeal.

## **SUBMISSIONS**

CACR09-140. Brandon Carter v. State of Arkansas, from Columbia Circuit.

CACR09-1146. Terry Moss v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR09-1348. Marilyn Ruth Heydenrich v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR09-1409. Freddie Joe Montoya v. State of Arkansas, from Benton Circuit.

CACR10-6. Danny Ray Henington v. State of Arkansas, from Benton Circuit.

CACR10-20. Justin A. Nicholson v. State of Arkansas, from Faulkner Circuit.

CACR10-68. Steven W. Evans v. State of Arkansas, from White Circuit.

CACR10-92. Juan Vega, Jr. v. State of Arkansas, from Benton Circuit.

CACR10-132. Charles Rayford Johnston v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR10-209. Lori Sue Draper v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR10-263. David Wayne Fikes v. State of Arkansas, from Washington Circuit.

CACR10-315. Edward S. Collins v. State of Arkansas, from Jefferson Circuit.

CA09-86. K. L., a Minor v. State of Arkansas, from Desha Circuit, Arkansas City District.

CA09-1034. David Rees v. Danielle McLaughlin, from Craighead Circuit, Western District.

CA09-1130. Raye A. West v. Stuttgart Regional Medical Center, from Workers' Compensation Commission.

CA10-107. American Railcar Industries, Inc. et al. v. Kyle Gramling, from Workers' Compensation Commission.

CA10-184. Patti Jo Davis-Lewallen v. Arkansas Department of Human Services, from Clay Circuit, Western District.

CA10-219. Kelly Galloway v. Tyson Foods, Inc., from Workers' Compensation Commission.

CA10-316. LaTrice Gilmore v. Arkansas Department of Human Services, from Pulaski Circuit, Eighth

Division.

CA10-322. Tonya Casarreal v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.

CA10-334. St. Joseph's Mercy Health Center et al. v. Jimmie Redmond, from Workers' Compensation Commission.

CA10-342. Atlis In Home Care, Inc. et al. v. Tonya Hackney, from Workers' Compensation Commission.

CA10-389. Dawn Heard and James Heard v. Arkansas Department of Human Services, from Marion Circuit.

CA10-403. Minor Children v. Arkansas Department of Human Services, Marquis Foster and Latasha Tucker, from Jefferson Circuit.

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

E10-39. Kimberly K. Mathis v. Director et al.

E10-41. Channa S. Johnson v. Director et al.

E10-42. Robert E. Hunter v. Director et al.

E10-43. Kim Hand v. Director et al.

E10-44. Lana B. Kofler v. Director et al.

E10-46. Billie J. Ramsey v. Director et al.

E10-47. Hipp Modern Builders Supply, LLC v. Director et al.

E10-48. Jeremiah Haynes, Jr. v. Director et al.

E10-49. Sharon McCoy v. Director et al.

E10-50. A-Class Scholars Child Center v. Director et al.

E10-51. Carl W. Crawford v. Director et al.

E10-52. Shannon J. Harris v. Director et al.