

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 29, 2010

LARRY D. VAUGHT, CHIEF JUDGE:

CA09-1301. Bill Warford v. Union Bank of Benton, from Saline Circuit. Reversed and remanded. Pittman and Hart, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CA10-303. O’Nyssa Grant v. Arkansas Department of Human Services, from Lonoke Circuit, Juvenile Division. Reversed and remanded. Vaught, C.J., and Hart, J., agree.

JOSEPHINE LINKER HART, JUDGE:

CACR09-1031. Khayam Thomas v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed; motion to withdraw granted. Vaught, C.J., and Pittman, J., agree.

JOHN B. ROBBINS, JUDGE:

CACR10-157. Brandon Buford v. State of Arkansas, from Mississippi Circuit, Osceola District. Affirmed. Kinard and Brown, JJ., agree.

CA10-191. Simmons First National Bank v. Brandon Middleton and Stephanie A. Middleton, husband and wife, and John L. Stephenson, from Searcy Circuit, Second Division. Affirmed. Kinard and Brown, JJ., agree.

M. MICHAEL KINARD, JUDGE:

CA09-1124. Dr. Marc Rogers v. Alan Sargent, from Garland Circuit. Reversed and remanded. Henry and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

CACR09-893. David Eugene Lewis v. State of Arkansas, from Arkansas Circuit, Northern District. Affirmed. Henry and Baker, JJ., agree.

CA10-490. Stephanie Sites v. Arkansas Department of Human Services and minor children, from Conway Circuit. Affirmed; motion granted. Henry and Baker, JJ., agree.

DAVID M. GLOVER, JUDGE:

CACR10-16. Joe A. Newman v. State of Arkansas, from Jefferson Circuit, Eleventh District. Reversed. Gladwin and Abramson, JJ., agree.

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CA09-86. K. L., a minor v. State of Arkansas, from Desha Circuit, Arkansas City District. Affirmed. Gladwin and Abramson, JJ., agree.

CA10-496. Krystal Ivy v. Arkansas Department of Human Services and minor children, from Pope Circuit, Third Division. Affirmed; counsel's motion to withdraw granted. Gladwin and Abramson, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

CACR09-1176. Reina Isabell Vance v. State of Arkansas, from Crawford Circuit, Second Division. Affirmed. Gladwin and Glover, JJ., agree.

CA10-407. Erica Lunon v. Arkansas Department of Human Services and minor child, from Pulaski Circuit, Eighth Division. Affirmed. Gladwin and Glover, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

CACR10-36. Andrew Lovett v. State of Arkansas, from Union Circuit. Rebriefing ordered. Gruber and Baker, JJ., agree.

CA10-155. Jeanne Hudgens v. Arkansas Department of Human Services, from Union Circuit. Reversed and remanded. Gruber and Baker, JJ., agree.

WAYMOND M. BROWN, JUDGE:

CACR09-1389. Craig Deon Thomas v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Robbins and Kinard, JJ., agree.

CA09-633. Daylan Hunt and Jerri N. & James L. Hunt, Co-Trustees of the Hunt Family Trust v. Entergy Arkansas, Inc., from Garland Circuit. Affirmed. Robbins and Kinard, JJ., agree.

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PER CURIAM ORDERS

REHEARING DENIED: Petition for Rehearing was denied today in the following case:

CA09-1142. Charles McCourt and Julia McCourt v. Jacqueline Triplett, from Sebastian Circuit, Fort Smith District.

CACR09-855. Matthew Hammonds v. State of Arkansas, from Conway Circuit. Motion of Kellie M. Emerson to be relieved as counsel for appellant is granted.

CACR09-855. Matthew Hammonds v. State of Arkansas, from Conway Circuit. Motion of Kellie M. Emerson for attorney's fees is granted. Allowed \$1,700.00.

CACR09-1007. Danny Joe Dooly v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Charles E. Smith for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1286. Wendell Lee Strickland v. State of Arkansas, from Benton Circuit. Motion of Matthew D. Black for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1286. Wendell Lee Strickland v. State of Arkansas, from Benton Circuit. Appellant's pro se motion for appointment of counsel and/or copies of briefs is denied.

CACR09-1330. Taurus Sanders v. State of Arkansas, from Crittenden Circuit. Motion of Bart Ziegenhorn for attorney's fees is granted. Allowed \$1,400.00.

CACR10-30. Billy R. Washington v. State of Arkansas, from Garland Circuit. Motion of Alvin Schay for attorney's fees is granted. Allowed \$1,400.00.

CACR10-119. Michael Wayne Alston v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,400.00.

CACR10-139. Larry Joe Dunlap v. State of Arkansas, from Saline Circuit. Motion of F. Parker Jones III for attorney's fees is granted. Allowed \$1,400.00.

CACR10-182. Jamael Lawann McKnight v. State of Arkansas, from Drew Circuit. Motion of Daren J. Nelson for attorney's fees is granted. Allowed \$1,400.00.

CACR10-917. Mary Ann Hillman v. State of Arkansas, from Faulkner Circuit. Motion of Boyd Tackett, Jr. to be relieved as counsel for appellant and for appointment of Caroline Winningham is granted. Caroline Winningham is appointed as counsel for appellant. Appellant's brief due

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PER CURIAM ORDERS

November 8, 2010.

CA10-228. Charles Mason, Jr. v. David Mitcham, from Union Circuit. Appellee's motion for additional brief time is granted. Final extension.

CA10-302. Steve's Outdoor Investments, LLC and Steve Rogers v. Reynolds Forestry Consulting-RFC, Inc., from Columbia Circuit. Appellants' motion to lift stay and issue a new briefing schedule is granted. Kinard, J., not participating.

CA10-378. Sidney J. Phillippy and Tina Dickey v. ANB Financial Services, LLC, et al., from Benton Circuit. Appellants' motion for additional brief time is granted. Final extension.

CA10-430. Anthony E. Owens v. Office of Child Support Enforcement, from Sebastian Circuit, Fort Smith District. Appellee's motion to correct the record and for extension of brief time is granted. Corrected record due within thirty days. Appellee's brief due within fifteen days thereafter.

CA10-691. Carlos Parrish and Sophia Parrish v. Arkansas Department of Human Services et al., from Miller Circuit. Appellants' motion for additional brief time is granted for forty-five days. See *Ondrisek v. Ark. Dep't of Human Servs.*, 2009 Ark. App. 325 (per curiam).

CA10-692. Bethany Myers v. Arkansas Department of Human Services, from Miller Circuit. Appellant's motion for additional brief time is granted for forty-five days. See *Ondrisek v. Ark. Dep't of Human Servs.*, 2009 Ark. App. 325 (per curiam).

CA10-693. Greg Seago v. Arkansas Department of Human Services, from Miller Circuit. Appellant's motion for additional brief time is granted for forty-five days. See *Ondrisek v. Ark. Dep't of Human Servs.*, 2009 Ark. App. 325 (per curiam).

CA10-694. Albert Krantz and Miriam Krantz v. Arkansas Department of Human Services et al., from Miller Circuit. Appellants' motion for additional brief time is granted for forty-five days. See *Ondrisek v. Ark. Dep't of Human Servs.*, 2009 Ark. App. 325 (per curiam).

CA10-696. Alphonzo Reid v. Arkansas Department of Human Services et al., from Miller Circuit. Appellant's motion for additional brief time is granted for forty-five days. See *Ondrisek v. Ark. Dep't of Human Servs.*, 2009 Ark. App. 325 (per curiam).

CA10-726. Roy Peters et al. v. Heather Moore et al. from Sebastian Circuit, Greenwood District. Appellants' motion for stay or remand is denied without prejudice. Appellants' brief due within ninety days.

CA10-747. Lisa Brinkley v. Thomas Brinkley, from Washington Circuit. Appellant's motion to file belated brief is granted. Appellant's brief due October 14, 2010.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CA10-210. Bryan Miller v. Michael A. Neil, Sherry A. Neil and the McIntosh Group Realtors, Inc., from Washington Circuit.

CACR09-140. Brandon Carter v. State of Arkansas, from Columbia Circuit. Motion of Brenna J. Ryan for attorney's fees.

CACR09-1188. David Wayne Fuson v. State of Arkansas, from Crawford Circuit. Motion of John Ogles for attorney's fees.

CACR09-1213. Anthony Brian Williamson v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees.

CACR09-1348. Marilyn Ruth Heydenrich v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Bobby R. Digby for attorney's fees.

CACR10-92. Juan Vega, Jr. v. State of Arkansas, from Benton Circuit. Motion of Rosalyn A. Watts for attorney's fees.

CACR10-209. Lori Sue Draper v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Kris Alan Higdon for attorney's fees.

CACR10-522. Terry Edward Hayes v. State of Arkansas, from Washington Circuit. Appellant's motion for leave to file substituted addendum.

CACR10-532. Cory Ray Lynch v. State of Arkansas, from Perry Circuit. Resubmission of motion of Gary J. Barrett to withdraw as counsel for appellant; motion of John I. Purtle for entry of appearance and substitution as counsel for appellant; and motion to check out record and/or rule on clerk.

CACR10-532. Cory Ray Lynch v. State of Arkansas, from Perry Circuit. Amended motion of Gary J. Barrett to withdraw as counsel for appellant and for substitution of counsel.

CACR10-913. Felton Earl Singleton v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of William O. "Bill" James, Jr., to be relieved as counsel for appellant.

CACR10-913. Felton Earl Singleton v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of William O. "Bill" James, Jr., to withdraw motion to be relieved as counsel for appellant.

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CA10-21. Holiday Hospitality Franchising, Inc. v. Hotel Associates, Inc., from Crittenden Circuit. Appellant's motion to correct clerical error in judgment.

CA10-75. Waverly-Arkansas, Inc. et al. v. Norma Page, from Polk Circuit. Appellants' motion to stay appeal.

CA10-746. Kristen Parker v. Arkansas Department of Human Services et al., from Saline Circuit. Appellees' joint motion to dismiss appeal.

CA10-889. Kathy Billings v. Arkansas Department of Human Services, from Chicot Circuit. Appellant's motion to correct the record and stay briefing schedule.

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SUBMISSIONS

CA09-1374. Darla Jackson v. Tanya Gonzales, from Carroll Circuit, Western District. Argued orally.

CA10-19. Bank of the Ozarks v. Jim Wood Company, Inc., from Pulaski Circuit, First Division. Argued orally.

CACR09-934. Brian K. Walker v. State of Arkansas, from Pulaski Circuit, First Division.

CACR09-1050. Jermiko Vonjay Johnson v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR09-1158. James Louis Cannon v. State of Arkansas, from Randolph Circuit.

CACR09-1231. Michael B. Arnett v. State of Arkansas, from Clark Circuit.

CACR09-1323. David Junior Sweet v. State of Arkansas, from Crawford Circuit.

CACR10-35. Blake D. Burrow v. State of Arkansas, from Lonoke Circuit.

CACR10-224. Shawn Massey v. State of Arkansas, from Faulkner Circuit.

CACR10-232. Bobby Forrest v. State of Arkansas, from Hot Spring Circuit.

CACR10-324. Sean Nicholas v. State of Arkansas, from Benton Circuit.

CACR10-359. Joe K. Moore v. State of Arkansas, from Miller Circuit.

CACR10-385. Tracie Lynn Snider v. State of Arkansas, from Jackson Circuit.

CACR10-414. Kiara Smith v. State of Arkansas, from Jefferson Circuit.

CA09-1297. R. R. v. State of Arkansas, from Faulkner Circuit.

CA09-1298. N. J. v. State of Arkansas, from Faulkner Circuit.

CA09-1299. C. M. v. State of Arkansas, from Faulkner Circuit.

CA10-42. Pamela Brand v. Gregory Mourot, from Perry Circuit.

CA10-129. River Valley Homes, Inc. v. Freeman-Kaufman & Freedden, Inc., from Benton Circuit.

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SUBMISSIONS

CA10-409. Mariann Morrison v. Confectionately Yours, Inc., from Workers' Compensation Commission.

CA10-436. Second Injury Fund et al. v. Cleveland Osborn, from Workers' Compensation Commission.

CA10-452. John O'Hara v. J. Christy Construction Co., Inc., from Workers' Compensation Commission.

CA10-539. Charlie L. Jackson v. Smith Blair, Inc., from Workers' Compensation Commission.

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

E10-10. Deborah D. Bergman v. Director et al.

E10-53. Norman N. Woodward, Jr. v. Director et al.

E10-54. Paul F. Pattison v. Director et al.

E10-55. Linda K. Johnson v. Director et al.

E10-56. Tracy D. Brown v. Director et al.

E10-57. Francis T. Caton v. Director et al.

E10-58. Terry L. Howard v. Director et al.

E10-59. Dorian D. Boykins v. Director et al.

E10-60. Ruth E. Hendrix v. Director et al.

E10-61. Portia Y. Harris v. Director et al.

E10-62. Melissa A. Kemper v. Director et al.

E10-63. Ashton L. Smith v. Director et al.

E10-64. Fred A. Gilchrist v. Director et al.