

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 10, 2010

JOSEPHINE LINKER HART, JUDGE:

CACR10-47. Jacob Wade Pope Wages v. State of Arkansas, from Arkansas Circuit. Reversed and remanded. Robbins and Gruber, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

CACR10-501. David Juarez v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Pittman and Kinard, JJ., agree.

CA10-268. Deutsche Bank National Trust Company v. Mike Austin, from Sebastian Circuit, Fort Smith District. Dismissed. Pittman and Kinard, JJ., agree.

M. MICHAEL KINARD, JUDGE:

CACR10-205. Louis Cortis Townsell v. State of Arkansas, from Pulaski Circuit, Seventh Division. Affirmed. Gladwin, J., agrees. Pittman, J., concurs.

CA09-1304. Robert Cleary v. Sledge Properties, Inc., from Drew Circuit. Affirmed on direct appeal; reversed and remanded on cross-appeal. Pittman and Gladwin, JJ., agree.

CA10-231. Delmar Glenn Pack and Jimmie L. Pack v. Bob E. Clark and Buneva C. Clark, husband and wife, and N.A. Caughron, from Van Buren Circuit. Reversed and remanded. Pittman and Gladwin, JJ., agree.

CA10-234. Garland Gable and Martha Gable v. Robert Anthony et al., from Faulkner Circuit. Affirmed. Pittman and Gladwin, JJ., agree.

RITA W. GRUBER, JUDGE:

CA09-1317. Helen Cook v. Lane Cook, Tanya Cook Gilbreath, and Bryan Cook, from Ouachita Circuit. Affirmed. Hart and Robbins, JJ., agree.

DAVID M. GLOVER, JUDGE:

CACR10-622. Thelma Williams, Jr. v. State of Arkansas, from Pulaski Circuit, Second Division. Affirmed. Vaught, C.J., and Baker, J., agree.

CA09-1160. Progressive Southeast Arkansas Housing Development Corporation v. Barbara Abraham, from Jefferson Circuit. Appeal dismissed. Vaught, C.J., and Baker, J., agree.

RAYMOND R. ABRAMSON, JUDGE:

CA10-213. Tommy Howell v. Automated Conveyor Systems, Inc., and Travelers Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Henry and Brown, JJ., agree.

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CA10-733. Stacy Hart v. Arkansas Department of Human Services and minor child, from Craighead Circuit, Western District. Affirmed. Henry and Brown, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

CA10-712. Carlos Johnson v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District. Affirmed. Abramson and Brown, JJ., agree.

KAREN R. BAKER, JUDGE:

CACR10-524. Conya Goodman v. State of Arkansas, from Drew Circuit. Affirmed. Vaught, C.J., and Glover, J., agree.

WAYMOND M. BROWN, JUDGE:

CA09-359. City of Little Rock v. McGeorge Contracting Co., Inc., from Pulaski Circuit, Ninth Division. Reversed. Abramson and Henry, JJ., agree.

CA10-44. Glenda Flynn v. Southwest Catering Co. and Phoenix Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Abramson and Henry, JJ., agree.

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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).

- E10-65. Mike Ward v. Director et al.
- E10-66. Willie Hill v. Director et al.
- E10-67. Mary A. Brown v. Director et al.
- E10-68. Rose L. Nichols v. Director et al.
- E10-69. Deborah Sadler v. Director et al.
- E10-70. Vickie W. Clemons v. Director et al.
- E10-71. Michael D. Pace v. Director et al.
- E10-72. Joe Humphrey v. Director et al.
- E10-73. Michael Terry v. Director et al.
- E10-74. Sharon R. Alderson v. Director et al.
- E10-76. Billee Long v. Director et al.
- E10-77. Gwendolyn Brand v. Director et al.

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PER CURIAM ORDERS

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

CACR09-1296. Donald Ray Mathis v. State of Arkansas, from Union Circuit.

CACR10-16. Joe A. Newman v. State of Arkansas, from Jefferson Circuit.

CACR09-933. Cornelius Joseph McCastle v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Ronald L. Davis, Jr. for entry as counsel is granted.

CACR09-933. Cornelius Joseph McCastle v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's motion to reinstate appeal and file belated brief is granted. Appellant's brief filed this date. Appellee's brief due within thirty days.

CACR09-933. Cornelius Joseph McCastle v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's motion for belated filing of supplemental record is granted. Record deemed supplemented.

CACR09-933. Cornelius Joseph McCastle v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's motion for waiver of addendum obligation is granted.

CACR09-933. Cornelius Joseph McCastle v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's motion to reinvest jurisdiction in the trial court is passed until the case is submitted.

CACR10-48. Robert William Fischer, Jr. v. State of Arkansas, from Benton Circuit. Appellant's pro se motion to require the State to preserve all evidence is moot.

CACR10-91. Rodney Ray Hall v. State of Arkansas, from Randolph Circuit. Motion of C. Scott Nance for attorney's fees is granted. Allowed \$1,400.00.

CACR10-414. Kiara Smith v. State of Arkansas, from Jefferson Circuit. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,400.00.

CACR10-590. James Robert Lowe v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion to file supplemental brief is denied.

CACR10-722. Chasmun F. Miller v. State of Arkansas, from Union Circuit. Appellee's motion to remand to correct the record and to stay brief time. Remanded to the trial court to correct the record within fifteen days. Appellee's brief due within thirty days thereafter.

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CACR10-723. Chasmun F. Miller v. State of Arkansas, from Union Circuit. Appellee's motion to remand to correct the record and to stay brief time. Remanded to the trial court to correct the record within fifteen days. Appellee's brief due within thirty days thereafter.

CACR10-961. George David Reed v. State of Arkansas, from Benton Circuit. Motion of attorney W.H. Taylor to withdraw as counsel for appellant is granted.

CACR10-980. Robert Joseph Moten v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Dennis R. Molock to withdraw as counsel, for appointment of counsel, and to stay brief time is granted. Joshua D. Gillispie is appointed to represent appellant. Appellant's brief due December 20, 2010.

CACR10-1013. Damon Jackson v. State of Arkansas, from Desha Circuit, Arkansas City District. Motion of Jeffery Kearney to be relieved as counsel for appellant, and in the alternative, for appointment as counsel for appellant is granted. Mr. Kearney appointed to represent appellant.

CACR10-1013. Damon Jackson v. State of Arkansas, from Desha Circuit, Arkansas City District. Appellant's pro se motion for appointment of counsel is granted. Jeffery Kearney is appointed to represent appellant.

CA09-1411. Adam S. Stibich v. Kimberly Rae Stibich, from Garland Circuit. Appellant's motion to dismiss appellee's cross-appeal and for sanctions is denied.

CA09-1411. Adam S. Stibich v. Kimberly Rae Stibich, from Garland Circuit. Appellee's voluntary motion to dismiss cross-appeal without prejudice is granted.

CA10-406. Rhodis L. Smith, Sr. v. Hershel Lovelace and Venita Lovelace, from Pulaski Circuit, Ninth Division. Appellant's pro se motion to expedite, advance and reverse is denied.

CA10-430. Anthony E. Owens v. Office of Child Support Enforcement, from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal is denied.

CA10-430. Anthony E. Owens v. Office of Child Support Enforcement, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion for extension of time to file response to motion to dismiss appeal is moot.

CA10-774. Sue Gregory v. State of Arkansas, from Marion Circuit. Appellant's motion to file belated reply brief is granted. Reply brief filed this date.

CA10-1049. Progreen Sport Surfaces, LLC v. Lasiter Construction, Inc., from Pulaski Circuit, Third Division. Joint motion to rely on briefs previously submitted in CA08-1133 is granted. Briefs filed this date.

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CA10-1073. Erika Lynn Jordan v. Arkansas Department of Human Services, from Conway Circuit. Appellant's motion to correct the record, strike extraneous and irrelevant material and to stay brief time. Remanded to the trial court to settle the record within fifteen days. Appellant's brief due within thirty days thereafter.

E10-109. Paulette Briggs v. Director et al., from Board of Review. Appellant's pro se motion to consider evidence is denied.

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MOTIONS SUBMITTED

CACR09-549. Kelton Esquire Bond v. State of Arkansas, from Benton Circuit. Motion of Steven R. Davis for attorney's fees.

CACR09-893. David Eugene Lewis v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Bryan Huffman for attorney's fees.

CACR09-1231. Michael B. Arnett v. State of Arkansas, from Clark Circuit. Motion of T. Clay Janske for attorney's fees.

CACR10-109. Tobias Gormley v. State of Arkansas, from Garland Circuit. Motion of Misty Wilson Borkowski for attorney's fees.

CACR10-187. Tracey Parks v. State of Arkansas, from Greene Circuit. Motion of Jason Andrew Jouett for attorney's fees.

CACR10-187. Tracey Parks v. State of Arkansas, from Greene Circuit. Motion of Jason Andrew Jouett to be relieved as counsel for appellant.

CACR10-381. Michael Lee Cowan v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of William O. "Bill" James, Jr., for attorney's fees.

CACR10-708. Dewquan Marquis Johns v. State of Arkansas, from Lonoke Circuit. Appellant's motion to supplement the record on appeal.

CACR10-904. James Alva Ross v. State of Arkansas, from Clark Circuit. Appellant's motion to supplement the record on appeal.

CA10-210. Bryan Miller v. Michael A. Neil et al., from Washington Circuit. Appellant's motion for costs.

CA10-479. Brian Carroll et al. v. Jay D. Baggett, from Sebastian Circuit, Fort Smith District. Appellants' motion for substitution of C. Brian Meadors as counsel.

CA10-925. Stephen Toof Brown et al. v. Brian Kelton, from Pulaski Circuit, Second Division. Motion of American Insurance Association, Property Casualty Insurers Association of America, and Association of Corporate Counsel to file amici curiae brief.

CA10-946. Leesha Renae Chaffin v. Joshua Kane Chaffin, from Crawford Circuit. Motion of C. Brian Meadors to be substituted as counsel and for brief time.

E10-23. Guy D. Czajka v. Director et al., from Board of Review. Appellant's pro se motion for reconsideration.

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SUBMISSIONS

CACR10-310. Jamie Lynn Fowler v. State of Arkansas, from Yell Circuit, Southern District.

CACR10-484. Earmon Lamar Brown v. State of Arkansas, from Lonoke Circuit.

CACR10-566. Kirby Donald Franklin, Jr. v. State of Arkansas, from Drew Circuit.

CACR10-674. Talvis Martel Gilbert v. State of Arkansas, from Saline Circuit.

CACR10-697. Heath Corey Ford v. State of Arkansas, from Carroll Circuit, Eastern District.

CA09-1395. M.W. v. State of Arkansas, from Pulaski Circuit, Tenth Division.

CA10-1. Sandy Ware v. Office of Child Support Enforcement, from Mississippi Circuit, Chickasawba District.

CA10-58. Michael A. Hayes v. Sandra L. Hayes Otto, from Pulaski Circuit, Fourteenth Division.

CA10-366. Jay Elmore Statler and Charlotte Darlene Statler v. Jimmy A. Gibson and Dianne Gibson, from Van Buren Circuit.

CA10-375. Jim Peterson et al. v. William "Bill" Davis et al., from Baxter Circuit.

CA10-415. Haylee Black v. State of Arkansas, from Faulkner Circuit.

CA10-462. Kim Gladden v. Georgia Pacific Corporation, from Workers' Compensation Commission.

CA10-464. Elizabeth Daniels v. Little Rock School District, from Workers' Compensation Commission.

CA10-555. Tracy Morgan v. Highland Window, from Workers' Compensation Commission.

CA10-647. Aegon Insurance, USA et al. v. DeAnn E. Durham-Gilpatrick, from Workers' Compensation Commission.

CA10-675. Michael Burks v. RIC, Inc., et al., from Workers' Compensation Commission.

CA10-699. Dalesha Welch v. Arkansas Department of Human Services et al., from Washington Circuit.

CA10-805. Casandra McCann v. Arkansas Department of Human Services et al., from Johnson Circuit.