

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF NOVEMBER 17, 2010**

LARRY D. VAUGHT, CHIEF JUDGE:

CACR10-81. Phillip W. Holloway v. State of Arkansas, from Scott Circuit. Affirmed. Glover and Baker, JJ., agree.

CA10-686. Joseph Allen Henry v. Arkansas Department of Human Services and minor child, from Benton Circuit. Affirmed; motion granted. Gladwin and Henry, JJ., agree.

CA10-714. Megan Garcia v. Arkansas Department of Human Services and minor child, from Conway Circuit. Affirmed; motion granted. Glover and Baker, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CACR10-271. Shawn Michael Sims-Navarre v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Gladwin and Kinard, JJ., agree.

CACR10-359. Joe K. Moore v. State of Arkansas, from Miller Circuit. Affirmed. Gladwin and Kinard, JJ., agree.

CACR10-529. Ronald Earl Robinson v. State of Arkansas, from Hot Spring Circuit. Affirmed. Gladwin and Kinard, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

CA09-1127. Scott Street Townhouses, LLC v. Underwriters at Lloyd's London, Ace Global Markets Property, Ltd., Graham-Rogers, Inc., and James Woods Insurance Agency, Inc., from Pulaski Circuit, Third Division. Affirmed. Baker and Brown, JJ., agree.

CA10-517. Westwood Health & Rehabilitation, Inc., and CCMSI, Carrier v. Steven Diddle, from the Arkansas Workers' Compensation Commission. Affirmed. Baker and Brown, JJ., agree.

JOHN B. ROBBINS, JUDGE:

CACR10-373. Zechariah I. Jones v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Hart and Gruber, JJ., agree.

CACR10-574. Edward Tom Gazaway, Jr. v. State of Arkansas, from Cleburne Circuit. Affirmed. Kinard and Abramson, JJ., agree.

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**PROCEEDINGS OF NOVEMBER 17, 2010**

JOHN B. ROBBINS, JUDGE: (continued)

CA10-702. Daniel Bell and Kareem Rollinson v. Arkansas Department of Human Services and minor children, from Sebastian Circuit, Fort Smith District. Affirmed; motion granted. Hart and Gruber, JJ., agree.

CA10-783. Tiffany Vance and Alex Shane Boryschtsck, III v. Arkansas Department of Human Services and minor children, from Pulaski Circuit, Eleventh Division. Affirmed; motion granted. Kinard and Abramson, JJ., agree.

RITA W. GRUBER, JUDGE:

CACR10-168. Ismael Garduno-Trejo v. State of Arkansas, from Benton Circuit. Reversed and dismissed. Pittman and Glover, JJ., agree.

DAVID M. GLOVER, JUDGE:

CA09-988. Cindy Gilbow v. Fraser M. Richards, M.D., from Craighead Circuit, Western District. Affirmed. Pittman and Gruber, JJ., agree.

CA10-685. Michael Pine, Sr. and Lisa Hoffman v. Arkansas Department of Human Services and minor child, from Washington Circuit. Affirmed. Pittman and Gruber, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

CACR10-158. Eric Lavell Murry v. State of Arkansas, from Crittenden Circuit. Affirmed. Henry and Brown, JJ., agree.

CA10-172. Lawrence Young, as personal representative of the estate of Virginia Castleberry, deceased v. Oumitana Kajkenova, M.D., from Pulaski Circuit, Third Division. Reversed and remanded. Robbins and Kinard, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

CACR10-110. Roger Dale Rudd v. State of Arkansas, from Jackson Circuit. Affirmed. Abramson and Brown, JJ., agree.

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KAREN R. BAKER, JUDGE:

CA10-688. Kenneth Blanchard v. Arkansas Department of Human Services, from Madison Circuit. Affirmed. Vaught, C.J., and Glover, J., agree.

WAYMOND M. BROWN, JUDGE:

CA10-546. Evlynene Kirkendolph v. Department of Finance and Administration and Public Employer Claims Division, from the Arkansas Workers' Compensation Commission. Affirmed. Hart and Baker, JJ., agree.

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**PER CURIAM ORDERS**

CACR09-549. Kelton Esquire Bond v. State of Arkansas, from Benton Circuit. Motion of Steven R. Davis for attorney's fees is granted. Allowed \$1,400.00.

CACR09-893. David Eugene Lewis v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Bryan Huffman for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1231. Michael B. Arnett v. State of Arkansas, from Clark Circuit. Motion of T. Clay Janske for attorney's fees is granted. Allowed \$1,400.00.

CACR10-109. Tobias Gormley v. State of Arkansas, from Garland Circuit. Motion of Misty Wilson Borkowski for attorney's fees is granted. Allowed \$1,400.00.

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 is granted. Allowed \$1,400.00.

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

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

CACR10-1091. Chariell Ali Glaze v. State of Arkansas, from Faulkner Circuit. Motion of Boyd Tackett, Jr., to be relieved and for appointment of Caroline Winningham as counsel for appellant is granted.

CA09-1238. May Construction Company, Inc. v. Town Creek Construction & Development, LLC et al. Appellant's motion for extension of time to file supplemental record is granted. Supplemental record due December 8, 2010.

CA10-479. Brian Carroll et al. v. Jay D. Baggett, from Sebastian Circuit, Fort Smith District. Motion of C. Brian Meadors to be substituted as counsel for appellant is granted.

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 is granted. Gladwin, J., would deny. Pittman and Glover, JJ., not participating.

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**PER CURIAM ORDERS**

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 is granted. Appellant's brief due November 30, 2010.

CA10-1010. Latroy Hamilton v. Office of Child Support Enforcement, from Ouachita Circuit. Appellant's motion to supplement the record is granted. Record deemed supplemented.

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

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF NOVEMBER 17, 2010**

**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CA09-1202. Bio-Tech Pharmacal, Inc. v. Edmond Blouin, from Workers' Compensation Commission.

CA09-1374. Darla Jackson v. Tanya Smith, f/k/a Tanya Gonzales et al., from Carroll Circuit, Western District.

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

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CACR09-175. Mitchell Scott Johnson v. State of Arkansas, from Benton Circuit. Motion of Paul M. Gehring to be relieved as counsel and for attorney's fees.

CACR09-1323. David Junior Sweet v. State of Arkansas, from Crawford Circuit. Motion of Paul M. Gehring for attorney's fees.

CACR10-6. Danny Ray Henington v. State of Arkansas, from Benton Circuit. Motion of Harvey Harris for attorney's fees.

CACR10-47. Jacob Wade Pope Wages v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Farris E. Merrit for attorney's fees.

CACR10-47. Jacob Wade Pope Wages v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Farris E. Merritt to be relieved as counsel for appellant.

CACR10-186. Robert Purdie v. State of Arkansas, from Miller Circuit. Motion of Jason Horton for attorney's fees.

CACR10-204. Kevin Gettridge v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees.

CACR10-226. Archie Lorenzo Ross, Jr. v. State of Arkansas, from Crittenden Circuit. Motion of S. Butler Bernard, Jr., for attorney's fees.

CACR10-623. Gregory Brown v. State of Arkansas, from Pulaski Circuit, Fifth Division. Appellant's motion for additional brief time.

CACR10-1145. Joe McKinley Jones v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

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**PROCEEDINGS OF NOVEMBER 17, 2010**

**MOTIONS SUBMITTED**

Motion of James Filyaw to withdraw as counsel.

CA09-1363. Marx Real Estate Investments, LLC et al. v. Dr. Victor Coloso and Ms. Regina Coloso, from Sebastian Circuit, Fort Smith District. Cross-appellee Envision Real Estate Group, LLC's motion to dismiss cross-appeal.

CA09-1363. Marx Real Estate Investments, LLC et al. v. Dr. Victor Coloso and Ms. Regina Coloso, from Sebastian Circuit, Fort Smith District. Cross-appellee Envision Real Estate Group, LLC's motion to file brief, for extension of time, and for clarification.

CA10-363. Wylie Westbrook v. Teton Industrial Construction et al., from Workers' Compensation Commission. Appellees' motion to dismiss appeal.

CA10-613. Amy L. Piccioni v. Kevin S. Piccioni, from Saline Circuit. Appellant's motion for additional brief time.

CA10-613. Amy L. Piccioni v. Kevin S. Piccioni, from Saline Circuit. Appellee's motion to dismiss appeal.

CA10-681. Tina Havard and Michael J. Havard v. Jim Bob Clark, from Lonoke Circuit. Appellants' motion to file belated reply brief.

CA10-691. Carlos Parrish and Sophia Parrish v. Arkansas Department of Human Services, from Miller Circuit. Appellants' motion to supplement the record and stay brief time.

CA10-692. Bethany Myers v. Arkansas Department of Human Services, from Miller Circuit. Appellant's motion to supplement the record and stay brief time.

CA10-693. Greg Seago v. Arkansas Department of Human Services, from Miller Circuit. Appellant's motion to supplement the record and stay brief time.

CA10-694. Albert Krantz and Miriam Krantz v. Arkansas Department of Human Services, from Miller Circuit. Appellants' motion to supplement the record and stay brief time.

CA10-696. Alphonzo Reid v. Arkansas Department of Human Services, from Miller Circuit. Appellant's motion to supplement the record and stay brief time.

CA10-756. Eric Dill v. Green Dental Laboratories, Inc., et al., from Workers' Compensation Commission. Appellees' motion to file belated brief.

CA10-1015. St. Joseph's Mercy Health Center v. Melissa Edwards and John Edwards, from Garland Circuit. Appellant's motion to supplement the record and to stay brief time.

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**SUBMISSIONS**

CA10-367. Chase Home Finance, LLC v. Wilmington O. Charles, Jr., et al., from Pulaski Circuit, Sixth Division. Argued orally.

CACR09-1371. Jennifer Mae Ramsey v. State of Arkansas, from Pulaski Circuit, First Division.

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

CACR10-500. Edward Charles Snyder v. State of Arkansas, from Washington Circuit.

CACR10-526. Anthony Earl Bell v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR10-734. Adrian Maxwell v. State of Arkansas, from Faulkner Circuit.

CACR10-738. Jeremy Gipson v. State of Arkansas, from Jefferson Circuit.

CA09-1339. Tracy L. (Blair) Hanshaw v. John A. Blair, from Benton Circuit.

CA10-62. Linda Gray et al. v. Johnson Employment Services, LLC, from Workers' Compensation Commission.

CA10-126. Sandra Forde Beckworth et al. v. Diamante Golf Club, LLC et al., from Saline Circuit.

CA10-371. Advocat, Inc., et al. v. Dana Couch Heide, from Hot Spring Circuit.

CA10-411. Jerry Evans v. Michael Hamby et al., from Logan Circuit, Southern District.

CA10-416. Kristie Mendez et al. v. David B. Glover, M.D., from Sebastian Circuit, Fort Smith District.

CA10-419. William J. Barnes v. Deborah L. Barnes, from Pulaski Circuit, Fourteenth Division.

CA10-478. Norman E. Bundy, Jr. v. Pat Moody, from Jackson Circuit.

CA10-621. Second Injury Fund et al. v. Troy Durham et al., from Workers' Compensation Commission.

CA10-732. Richardson Waste, Inc., et al. v. Christopher Corcoran, from Workers' Compensation Commission.

CA10-745. Tyson Poultry, Inc. v. Francisco Narvaiz, from Washington Circuit.



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**SUBMISSIONS**

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

E10-78. Joyce McKay v. Director et al.

E10-79. Deborah A. Courtney v. Director et al.

E10-81. Leon L. Lollis v. Director et al.

E10-82. Rahim Basir v. Director et al.

E10-83. Katrina L. Allen v. Director et al.

E10-84. Leon Mitchell v. Director et al.

E10-85. Bobbie J. Powell v. Director et al.

E10-87. Flippin Pharmacy & Gifts v. Director et al.

E10-88. Robert A. Gutierrez v. Director et al.