

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 26, 2011

LARRY D. VAUGHT, CHIEF JUDGE:

CACR10-515. Jamar R. Reed v. State of Arkansas, from Crittenden Circuit. Affirmed; motion to withdraw granted. Hart and Glover, JJ., agree.

CACR10-617. Waylon B. VanOven v. State of Arkansas, from Woodruff Circuit. Affirmed. Hart and Glover, JJ., agree.

CA10-561. Julia Laney Machen v. Billy Randall Machen, from Columbia Circuit. Affirmed. Pittman and Gruber, JJ., agree.

CA10-753. Earnest Johnson v. Pat Salmon & Sons, Inc., and ACE American Insurance, from the Arkansas Workers' Compensation Commission. Affirmed. Hart and Glover, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CACR10-135. Todd Wayne Hall v. State of Arkansas, from Benton Circuit. Affirmed. Gladwin and Abramson, JJ., agree.

CA10-765. St. Mary-Rogers Memorial Hospital v. Karen Henderson, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Abramson, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

CA10-658. Conway Commercial Warehousing, LLC v. FedEx Freight East, Inc., from Faulkner Circuit. Affirmed on direct appeal; affirmed in part and reversed and remanded in part on cross-appeal. Pittman and Martin, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

CACR10-509. Charmmorcus Ugne Holloway v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Hoofman and Brown, JJ., agree.

CA10-312. Victor Provencio v. Yoshi Leding (formerly Provencio), from Pulaski Circuit, Fifteenth Division. Affirmed. Hoofman and Brown, JJ., agree.

JOHN B. ROBBINS, JUDGE:

CACR10-223. Weston Ludrick v. State of Arkansas, from Washington Circuit. Affirmed. Wynne and Glover, JJ., agree.

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ROBIN F. WYNNE, JUDGE:

CACR10-570. Theodore Metcalf v. State of Arkansas, from Pulaski Circuit, Second Division. Affirmed. Robbins and Glover, JJ., agree.

CA10-451. Bianca Broggi-Dunn v. Ernest E. Dunn, from Lonoke Circuit. Affirmed in part; reversed and remanded in part. Robbins and Glover, JJ., agree.

DAVID M. GLOVER, JUDGE:

CACR10-370. Otis Stribling v. State of Arkansas, from Jefferson Circuit. Remanded to settle and supplement the record and for rebriefing. Vaught, C.J., and Hart, J. agree.

CACR10-543. Michael J. Scott v. State of Arkansas, from Crittenden Circuit. Affirmed. Robbins and Wynne, JJ., agree.

CACR10-829. Nathaniel Fitzgerald v. State of Arkansas, from Crittenden Circuit. Affirmed; motion to be relieved granted. Vaught, C.J., agrees. Hart, J., concurs.

CA10-479. Brian Carroll, Ellen Carroll, Brian T. Carroll Living Trust, Park Plaza, LLC, and Carroll Resources, LLC v. Jay D. Baggett, from Sebastian Circuit, Fort Smith District. Dismissed without prejudice. Robbins and Wynne, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

CACR10-588. Jamie Leigh Jones v. State of Arkansas, from Washington Circuit. Reversed and remanded. Vaught, C.J., and Gruber, J., agree.

CA10-683. Bonita Cross v. State Farm Mutual Automobile Insurance Company, from Washington Circuit. Affirmed. Vaught, C.J., and Gruber, J., agree.

WAYMOND M. BROWN, JUDGE:

CA10-82. Robert & Donna Ridenoure, and Scotty & Tiffany Ridenoure v. Carl D. Ball, Jr., and Marlys St. John-Ball, from Madison Circuit. Affirmed. Gladwin and Hoofman, JJ., agree.

CA10-1028. Scott Whitlock v. Arkansas Department of Human Services and minor child, from Sebastian Circuit, Fort Smith District. Affirmed; motion granted. Gladwin and Hoofman, JJ., agree.

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PER CURIAM DECISIONS

The following case appealed from the Arkansas Board of Review is affirmed after remand without written opinion pursuant to Supreme Court Rule 5-2(f).

E10-92. Bryan E. Logan v. Director et al.

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PER CURIAM ORDERS

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

CA09-1342. Steve Lookadoo v. Gregory L. Switzer et al., from Arkansas Circuit, Northern District. Hart, J., would grant.

CA09-1380. Mary Gurlen et al. v. Henry Management, Inc. d/b/a Henry Corporation, Inc., from Pulaski Circuit, Sixth Division. Hart, J., would grant.

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

CACR09-1371. Jennifer Mae Ramsey v. State of Arkansas, from Pulaski Circuit, First Division. Motion of Dustin D. Dyer for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1391. Walter Shawn Henson v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Matthew J. McWilliams for attorney's fees is granted. Allowed \$1,000.00.

CACR10-521. Wendell Terrell Christian 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.

CACR10-534. Lashawn Heath v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR10-573. Donald Jones v. State of Arkansas, from Clark Circuit. Motion of Al Schay for attorney's fees is granted. Allowed \$1,400.00.

CACR10-1012. David Ockerman v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's pro se motion for new trial is denied.

CACR10-1145. Joe McKinley Jones v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Resubmission of motion of James Filyaw to withdraw as counsel is granted.

CACR10-1145. Joe McKinley Jones v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Ray Spruell, Public Defender, to withdraw and for appointment of David L. Dunagin as counsel for appellant is granted.

CACR10-1145. Joe McKinley Jones v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion for appointment of counsel is granted. David L. Dunagin is appointed as counsel for appellant.

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CA10-75. Waverly-Arkansas, Inc. d/b/a Mena Manor and HCM, Inc. v. Norma Page, as Special Administrator of the Estate of Jackson Edward Page and on Behalf of the Wrongful Death Beneficiaries of Jackson Edward Page, from Polk Circuit. Appellee's motion for costs is moot.

CA10-302. Steve's Outdoor Investments, LLC, and Steve Rogers v. Reynolds Forestry Consulting-RFC, Inc., from Columbia Circuit. Appellants' motion for establishment of supersedeas bond is granted.

CA10-462. Kim Gladden v. Georgia Pacific Corporation et al., from Workers' Compensation Commission. Appellant's motion for attorney's fees is granted.

CA10-1075. Katherine Keckler v. Arkansas Department of Human Services, Minor Child, and Eduardo Krieke, from Cleveland Circuit. Appellee Eduardo Krieke's motion for additional brief time is denied. Appellee's brief due February 7, 2011. Gruber, J., not participating.

CA10-1097. Clay V. Jackson v. Charles Brooks Company and Gallagher Bassett Services, Inc., from Workers' Compensation Commission. Appellees' motion to dismiss appeal is granted.

CA10-1188. Sharon Parker v. Michael Brown, from Pulaski Circuit, Seventeenth Division. Appellant's motion to supplement the record and for extension of brief time is remanded to the trial court to settle the record within forty-five days. Appellant's brief due within thirty days thereafter. Gruber, J., not participating.

E10-23. Guy D. Czajka v. Director et al., from Board of Review. Appellant's motion for sanctions against the appellees is denied.

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MOTIONS SUBMITTED

CACR10-551. Sean E. Beagles v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Cliff Collins for attorney's fees.

CACR10-668. Kevin Valdez Barnes v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of M. Tracy Oates for attorney's fees.

CACR10-744. Charles Foster, Jr. v. State of Arkansas, from Faulkner Circuit. Motion of Caroline L. Winningham for attorney's fees.

CACR10-830. Jimmy G. Yocum v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of James E. Hensley, Jr., for attorney's fees.

CACR10-1336. Curvin Vontal McCoy v. State of Arkansas, from Bradley Circuit. Motion of Dwain Oliver to be relieved and for substitution of Joseph P. Mazzanti, III as counsel for appellant.

CACR11-29. Sheva Howard v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Ronald L. Davis, Jr. to be relieved as counsel for appellant.

CACR11-29. Sheva Howard v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's motion for appointment of Q. Byrum Hurst, Jr. as counsel for appellant.

CACR11-39. Marion C. Butler v. State of Arkansas, from Pulaski Circuit, Fifth Division. Motion of William O. "Bill" James, Jr. to withdraw and for substitution of James Clouette as counsel for appellant.

CA10-417. D. W. v. State of Arkansas, from Pulaski Circuit, Eleventh Division. Appellant's motion to prohibit the broadcasting, recording or photographing of the oral argument.

CA10-1132. Dana K. Kemp v. Kevin L. Kemp, from Pulaski Circuit, Ninth Division. Appellee's motion for permission to file record and briefs under seal.

CA10-1139. Sander Wood v. Julian H. Wood, from Cleburne Circuit. Appellant's renewed motion to remand for lack of final order.

CA10-1139. Sander Wood v. Julian H. Wood, from Cleburne Circuit. Appellant's petition for writ of certiorari to complete the record and to stay briefing schedule.

CA10-1139. Sander Wood v. Julian H. Wood, from Cleburne Circuit. Appellant's motion to seal the record and briefs.

CA11-1. Jacky F. Dunn, D.O., et al. v. Sid Womack, from Pope Circuit. Appellant's motion to

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MOTIONS SUBMITTED

supplement the record.

The following case is called for dismissal for failure to file brief in accordance with rebriefing ordered in opinion dated October 20, 2010.

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

The following cases are called for dismissal for failure to file briefs in accordance with Supreme Court Rule 4-5.

CA10-453. Connie Winters v. Matthew Winters, from Desha Circuit.

CA10-454. Robert D. Brown, Jr. v. J & E Bonding Company, from Sevier Circuit.

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CA10-21. Holiday Hospitality Franchising, Inc. v. Hotel Associates, Inc., from Crittenden Circuit. Argued orally.

CACR09-730. Ruth Ann Lagoy v. State of Arkansas, from Stone Circuit.

CACR09-1302. Raymond Ysel Bell v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR10-265. Roy Lee Smith v. State of Arkansas, from Arkansas Circuit, Northern District.

CACR10-308. Timothy H. Pratt, II v. State of Arkansas, from Faulkner Circuit.

CACR10-358. Antwan Hardaway v. State of Arkansas, from Jackson Circuit.

CACR10-475. Donald Aurelins Warren v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR10-493. Ronald Wayne Magness v. State of Arkansas, from Drew Circuit.

CACR10-670. Charles Lee Hancock v. State of Arkansas, from Drew Circuit.

CACR10-723. Chasmun F. Miller v. State of Arkansas, from Union Circuit.

CACR10-802. Oliver J. Delp v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CA10-170. Amy L. Piccioni v. Kevin S. Piccioni, from Lonoke Circuit.

CA10-491. Bobby McMullen et al. v. Arkansas Elder Outreach of Little Rock, Inc., et al., from Hot Spring Circuit.

CA10-569. John E. Parks and Reena Parks v. Rogers Group, Inc., from Conway Circuit.

CA10-611. Frances Morgan v. Methodist Family Health, from Workers' Compensation Commission.

CA10-619. Peggy Yancey et al. v. Carlyn J. Yancey, from White Circuit.

CA10-636. Richard L. Myers et al. v. Peter Karl Bogner, Sr., from Carroll Circuit, Western District.

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CA10-678. Keith Burns v. Milton R. Stewart, from White Circuit.

CA10-709. Robbie Faye Zimmer v. Thomas Ray Wright, from Scott Circuit.

CA10-713. Quality Petroleum, Inc. v. Windward Petroleum, Inc., from Pulaski Circuit, Third Division.

CA10-797. Billy W. Barger et al. v. Lena Ferrucci, from White Circuit.

CA10-889. Kathy Billings v. Arkansas Department of Human Services, from Chicot Circuit.

CA10-1055. Heather Dawson v. Arkansas Department of Human Services, from Pulaski Circuit, Eleventh Division.

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

E10-45. Natasha L. Price v. Director et al.

E10-107. Elaine M. Yover v. Director et al.

E10-108. Thomas M. Adams v. Director et al.

E10-109. Paulette Briggs v. Director et al.

E10-110. Benjamin W. Denio v. Director et al.

E10-111. Billy Ashlock v. Director et al.

E10-113. Stanley W. Wilson v. Director et al.

E10-115. Kerry Copeland v. Director et al.

E10-116. Joseph Orlando v. Director et al.

E10-117. Stan Hufstedler v. Director et al.

E10-118. Bryant Paulin v. Director et al.

E10-119. Willie Rose v. Director et al.

E10-120. Estes Express Line v. Director et al.

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