

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 9, 2011

LARRY D. VAUGHT, CHIEF JUDGE:

CACR10-447. David Hugh Jones, Jr. v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed. Gruber and Abramson, JJ., agree.

CA09-257. Vickie Hall v. Timothy Bias and Rennea Bias, from Crawford Circuit. Reversed and remanded. Hart, Gladwin, Gruber, and Glover, JJ., agree. Abramson, J., concurs.

JOHN MAUZY PITTMAN, JUDGE:

CA10-908. Brandy Richardson v. Arkansas Department of Human Services, from Independence Circuit. Affirmed; motion to withdraw granted. Gladwin and Abramson, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

CACR10-723. Chasmun F. Miller v. State of Arkansas, from Union Circuit. Remanded to settle and supplement the record. Pittman and Martin, JJ., agree.

CA10-619. Peggy A. Yancey v. Carlyn J. Yancey, from White Circuit. Affirmed. Pittman and Martin, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

CA10-611. Francis Morgan v. Methodist Family Health, from the Arkansas Workers' Compensation Commission. Affirmed. Hoofman and Brown, JJ., agree.

CA10-636. Richard L. Myers et al. v. Peter Karl Bogner, Sr., et al., from Carroll Circuit, Western District. Affirmed in part; reversed in part. Hoofman and Brown, JJ., agree.

JOHN B. ROBBINS, JUDGE:

CACR10-358. Antwan Hardaway v. State of Arkansas, from Jackson Circuit. Affirmed. Wynne and Glover, JJ., agree.

E10-45. Natasha L. Price v. Director, Department of Workforce Services and Pointer Trail Family Clinic, from the Arkansas Board of Review. Affirmed. Wynne and Glover, JJ., agree.

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ROBIN F. WYNNE, JUDGE:

CACR09-730. Ruth Ann Lagoy v. State of Arkansas, from Stone Circuit. Affirmed; motion to withdraw granted. Gruber and Abramson, JJ., agree.

CACR10-475. Donald Aurelins Warren v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Robbins and Glover, JJ., agree.

RITA W. GRUBER, JUDGE:

CACR09-1302. Raymond Ysel Bell v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion denied; rebriefing ordered. Vaught, C.J., and Abramson, J., agree.

CACR10-465. Travis Smith v. State of Arkansas, from Mississippi Circuit, Osceola District. Affirmed. Vaught, C.J., and Robbins, and Hoofman, JJ., agree. Hart and Brown, JJ., dissent.

CA10-797. Billy W. Barger, Patricia Barger, Robert E. Jones, Jr., and Dana Barger v. Lena Ferrucci, from White Circuit. Affirmed. Vaught, C.J., and Abramson, J., agree.

DAVID M. GLOVER, JUDGE:

CA10-1055. Heather Dawson v. Arkansas Department of Human Services and minor children, from Pulaski Circuit, Eleventh Division. Affirmed; motion to withdraw granted. Robbins and Wynne, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

CACR10-493. Ronald Wayne Magness v. State of Arkansas, from Drew Circuit. Affirmed. Vaught, C.J., and Gruber, J., agree.

CLIFF HOOFFMAN, JUDGE:

CACR10-802. Oliver J. Delp v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Gladwin and Brown, JJ., agree.

CA10-569. John E. Parks and Reena Parks v. Rogers Group, Inc., from Conway Circuit. Affirmed. Gladwin and Brown, JJ., agree.

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WAYMOND M. BROWN, JUDGE:

CACR10-265. Roy Lee Smith v. State of Arkansas, from Arkansas Circuit, Northern District. Affirmed. Gladwin and Hoofman, JJ., agree.

CA10-889. Kathy Billings v. Arkansas Department of Human Services and minor children. Affirmed. Gladwin and Hoofman, JJ., 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(f).

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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PER CURIAM ORDERS

CACR09-1361. Willie Wells III v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR10-89. Lakedrin Mills v. State of Arkansas, from Crittenden Circuit. Motion of Chad M. Green for attorney's fees is granted. Allowed \$1,000.00.

CACR10-223. Weston Ludrick v. State of Arkansas, from Washington Circuit. Motion of William O. "Bill" James, Jr., for attorney's fees is granted. Allowed \$1,400.00.

CACR10-695. Walter Parham v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,000.00.

CACR10-1209. Vernell Conley v. State of Arkansas, from Washington Circuit. Appellant's motion requesting appeal bond is denied.

CACR10-1333. James Thompson v. State of Arkansas, from Miller Circuit. Motion of Jason Horton to withdraw and for appointment of Bobby R. Digby, II, as counsel for appellant is granted. Appellant's brief due March 21, 2011.

CA09-792. John T. Payne v. Keith Donaldson d/b/a Donaldson Wrecker Service, from Chicot Circuit. Appellee's motion for costs is denied.

CA09-1380. Mary Gurlen et al. v. Henry Management, Inc., from Pulaski Circuit, Sixth Division. Appellants' motion for taxation of costs and attorney's fees. Motion for attorney's fees is denied. Motion for taxation of costs is moot.

CA09-1411. Adam S. Stibich v. Kimberly Rae Stibich, from Garland Circuit. Appellant's motion for judgment on appeal is passed until the case is submitted.

E11-11. Marsha Miller v. Director et al., from Board of Review. Motion to file belated appeal is denied.

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MOTIONS SUBMITTED

CACR09-1296. Donald Ray Mathis v. State of Arkansas, from Union Circuit. Motion of Adam L. Hopkins for attorney's fees.

CACR10-413. Kirk Johnson v. State of Arkansas, from Jefferson Circuit. Motion of Gary W. Potts to be relieved as counsel for appellant and to stay briefing schedule.

CACR10-413. Kirk Johnson v. State of Arkansas, from Jefferson Circuit. Motion of James P. Clouette to be substituted as counsel for appellant.

CACR10-480. Raymond Yesl Bell v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of W. Doug Hoey for attorney's fees.

CACR10-480. Raymond Yesl Bell v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of W. Doug Hoey to be relieved as counsel for appellant.

CACR10-626. Mario Tatum v. State of Arkansas, from Bradley Circuit. Motion of B. Dale West for attorney's fees.

CACR10-741. Brittany Williamson v. State of Arkansas, from Pulaski Circuit, First Division. Motion of Kellie M. Emerson for attorney's fees.

CACR10-959. Patrick Lavell Davis v. State of Arkansas, from Hot Spring Circuit. Appellant's motion to settle and supplement the record.

CACR10-1012. David Ockerman v. State of Arkansas, from Pulaski Circuit, First Division. Pro se motions: to proceed in forma pauperis, for copy of trial transcript, discovery, to relieve counsel, and for appointment of counsel.

CACR10-1065. Charles Alvin Boatright v. State of Arkansas, from Madison Circuit. Appellant's motion to seal brief.

CACR10-1065. Charles Alvin Boatright v. State of Arkansas, from Madison Circuit. Motion of Dan Ivy to be relieved and for appointment of counsel for appellant.

CACR11-94. Teresa Hunter v. State of Arkansas, from Garland Circuit. Motion of Timothy Beckham to withdraw as counsel for appellant.

CA09-283. Donald R. Johnson et al. v. Arkansas Public Service Commission et al., from Public Service Commission. Appellants' request to withdraw appeal.

CA09-304. Willis B. Smith, Jr. et al. v. Arkansas Public Service Commission et al., from Public Service Commission. Appellants' request to withdraw appeal.

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MOTIONS SUBMITTED

CA09-385. Hempstead County Hunting Club, Inc., et al. v. Arkansas Public Service Commission et al., from Public Service Commission. Appellants' request to withdraw appeal.

CA10-996. Christopher H. Pressler et al. v. Arkansas Public Service Commission et al., from Public Service Commission. Appellees' joint motion to dismiss appeal.

CA10-996. Christopher H. Pressler et al. v. Arkansas Public Service Commission et al., from Public Service Commission. Appellants' motion to file belated brief.

CA10-1116. State of Arkansas v. A.G., from Pulaski Circuit, Fourth Division. Appellee's motion to dismiss appeal.

CA10-1123. Rhino Mini-Storage, LLC, et al. v. First National Bank of Rogers et al., from Benton Circuit. Motion of D. Westbrook Doss, Jr., to withdraw as counsel.

CA10-1124. Gray Construction, Inc., et al. v. First National Bank of Rogers et al., from Benton Circuit. Motion of D. Westbrook Doss, Jr., to withdraw as counsel.

CA10-1151. Allen Engineering et al. v. Roy E. Green et al., from Workers' Compensation Commission. Appellants' motion to supplement the record and for extension of brief time.

CA10-1238. John T. Payne, II v. Keith Donaldson d/b/a Donaldson Wrecker Service, from Chicot Circuit. Appellant's motion to correct addendum and file a substituted brief.

CA10-1279. Seyoum Clark v. El Nopal, Inc., et al., from Workers' Compensation Commission. Appellant's motion for time to file belated brief.

CA10-1279. Seyoum Clark v. El Nopal, Inc., et al., from Workers' Compensation Commission. Appellees' motion to dismiss appeal.

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SUBMISSIONS

- CACR10-623. Gregory Brown v. State of Arkansas, from Pulaski Circuit, Fifth Division.
- CACR10-820. Larry H. Reese v. State of Arkansas, from Arkansas Circuit, Southern District.
- CACR10-907. David Hughes v. State of Arkansas, from Sebastian Circuit, Fort Smith District.
- CA10-278. Wildlife Farms, II, LLC v. Tommy F. Robinson, from Monroe Circuit.
- CA10-593. Terry A. Gilmore v. Arkansas Board of Registration for Professional Engineers & Land Surveyors, from Pulaski Circuit, Ninth Division.
- CA10-639. Cal L. Jones v. Smith-Blair, Inc., from Workers' Compensation Commission.
- CA10-657. Debbie Wall v. Marion Wall, from Arkansas Circuit, Northern District.
- CA10-724. M.J., a Minor v. State of Arkansas, from Craighead Circuit, Western District.
- CA10-739. D.B., a Minor v. State of Arkansas, from Scott Circuit.
- CA10-742. Erin, Inc., et al. v. Tim Johnson, from Workers' Compensation Commission.
- CA10-757. Janice L. Alfieri v. Wal-Mart Associates, Inc., from Workers' Compensation Commission.
- CA10-772. Fairpark, LLC, et al. v. Healthcare Essentials, Inc., et al., from Washington Circuit.
- CA10-777. Mizell Gatson v. Freddie Billings, from Union Circuit.
- CA10-782. Van Buren County, Arkansas et al. v. Fairfield Bay Community Club, Inc., from Van Buren Circuit.
- CA10-789. Helen Elizabeth Viele v. Lacy Leach Caldwell, from Pulaski Circuit, Twelfth Division.
- CA10-793. Eric Fox v. Christopher Bryan Nagle, from Saline Circuit.
- CA10-815. Dragan Vicentic et al. v. Bill Bishop et al., from Garland Circuit.
- CA10-905. LVL, Inc., et al. v. Donald Ragsdale, from Workers' Compensation Commission.
- CA10-954. Arthur Beal v. Fairfield Bay Community Club, Inc., from Workers' Compensation Commission.

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CA10-999. Johnny Smith v. Commercial Metals Company and ESIS, Inc., from Workers' Compensation Commission.

CA10-1166. Susan Martin v. Arkansas Department of Human Services and Minor Children, from Benton Circuit.

CA10-1177. Leroy Gipson v. Arkansas Department of Human Services, from Pulaski Circuit, Eighth Division.