

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 23, 2011

LARRY D. VAUGHT, CHIEF JUDGE:

[CA10-799](#). Fredric Dohle, Bertha Dohle, James Dohle, and Kathy Dohle v. Susan Ann Duffield, Frances and Augusta Duffield Johnson, and Jim Johnson, from Benton Circuit. Dismissed. Gladwin and Martin, JJ., agree.

[CA10-954](#). Arthur Beal v. Fairfield Bay Community Club, Inc., United States Fire Insurance, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Martin, JJ., agree.

[CA10-1177](#). Leroy Gipson v. Arkansas Department of Human Services and minor child, from Pulaski Circuit, Eighth Division. Affirmed; motion to withdraw granted. Gladwin and Martin, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR09-1019](#). Joseph Michael Hadley v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed in part; reversed and dismissed in part. Gladwin and Abramson, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CA10-593](#). In the matter of Terry A. Gilmore, P.L.S., #1413 v. The Arkansas Board of Registration for Professional Engineers and Land Surveyors, from Pulaski Circuit, Ninth Division. Affirmed. Vaught, C.J., and Martin, J., agree.

JOHN B. ROBBINS, JUDGE:

[CA10-278](#). Wildlife Farms II, LLC v. Greg Robinson and Jeff Robinson, from Monroe Circuit. Affirmed in part; reversed and remanded in part. Pittman and Gruber, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CA10-757](#). Janice L. Alfieri v. Wal-Mart Associates, Inc., and Claims Management, Inc., from the Arkansas Workers' Compensation Commission. Reversed and remanded. Hart and Brown, JJ., agree.

[CA10-789](#). Helen Elizabeth Viele v. Lacy Leach Caldwell, from Pulaski Circuit, Twelfth Division. Rebriefing ordered. Hart and Brown, JJ., agree.

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RITA W. GRUBER, JUDGE:

[CA10-657](#). Debbie Wall v. Marion Wall, from Arkansas Circuit, Northern District. Affirmed. Pittman and Robbins, JJ., agree.

[CA10-905](#). LVL, Inc., and Chartis Insurance v. Donald Ragsdale, from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Robbins, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CACR10-913](#). Felton Earl Singleton v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Abramson and Hoofman, JJ., agree.

[CA10-772](#). Fairpark, LLC; Tracy Hoskins; and Lori Celeste Hoskins v. Healthcare Essentials, Inc.; Lawrence Williams; Timothy Scott; and Brynne Scott Williams, from Washington Circuit. Affirmed. Abramson and Hoofman, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CA10-21](#). Holiday Inn Franchising, Inc., now known as Holiday Hospitality Franchising, Inc. v. Hotel Associates, Inc., from Crittenden Circuit. Affirmed on direct appeal; affirmed in part and reversed in part on cross-appeal. Vaught, C.J., and Gruber, J., agree.

[CA10-639](#). Cal Jones v. Smith-Blair, Inc., and Pacific Employers Insurance Co., from the Arkansas Workers' Compensation Commission. Rebriefing ordered. Glover and Hoofman, JJ., agree.

[CA10-815](#). Dragan Vicentic and James Wilkie v. Bill Bishop and Loretta Bishop, from Garland Circuit. Reversed and remanded. Glover and Hoofman, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CACR10-623](#). Gregory Brown v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Glover and Abramson, JJ., agree.

[CA10-739](#). D.B. v. State of Arkansas, from Scott Circuit. Affirmed. Glover and Abramson, JJ., agree.

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WAYMOND M. BROWN, JUDGE:

[CA10-1166](#). Susan Martin v. Arkansas Department of Human Services and minor children, from Benton Circuit. Motion to withdraw denied; rebriefing ordered. Hart and Wynne, JJ., agree.

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PER CURIAM ORDERS

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

CACR10-570. Theodore Metcalf v. State of Arkansas, from Pulaski Circuit, Second Division.

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

CA10-399. Tina Le, Dennis T. Le, and Tony T. Le v. Hoang Thi Nguyen, from Pulaski Circuit, Thirteenth Division.

CA10-561. Julia Laney Machen v. Billy Randall Machen, from Columbia Circuit.

CA10-687. Jamie R. Mahone v. Arkansas Department of Human Services, from Washington Circuit. Hart and Hoofman, JJ., would grant. *See* opinions this date. ([Hart](#)) ([Hoofman](#))

CACR10-135. Todd Wayne Hall v. State of Arkansas, from Benton Circuit. Motion of David O. Bowden for attorney's fees is denied without prejudice. *See* Supreme Court Rule 6-6(c).

CACR10-515. Jamar R. Reed v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR10-543. Michael J. Scott v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,000.00.

CACR10-590. James Robert Lowe 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.

CACR10-784. Dorothy Lavern Warden v. State of Arkansas, from Saline Circuit. Motion of F. Parker Jones, III, for attorney's fees is granted. Allowed \$1,400.00.

CACR10-788. Tommy D. Tatum v. State of Arkansas, from Saline Circuit. Motion of J. Brent Standridge for attorney's fees is granted. Allowed \$1,400.00.

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CACR10-829. Nathaniel Fitzgerald v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,100.00.

CACR10-1032. Daniel E. Rhoades v. State of Arkansas, from White Circuit. Motion of Craig Lambert for additional brief time or alternatively, to be relieved and for appointment of counsel for appellant. Motion to be relieved is denied. Appellant's brief due within thirty days. Final extension.

CACR11-83. Darren Earl Bull 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. Appellant's brief due April 8, 2011.

CACR11-104. Darnell Charles Porter v. State of Arkansas, from Faulkner Circuit. Motion of Lynn Plemmons to be relieved and for appointment of Caroline Winningham as counsel for appellant is granted. Appellant's brief due April 8, 2011.

CA10-302. Steve's Outdoor Investments, LLC, and Steve Rogers v. Reynolds Forestry Consulting-RFC, Inc., from Columbia Circuit. Appellant's motion for additional brief time is granted. Appellant's brief due March 24, 2011. Final extension.

CA10-430. Anthony E. Owens v. Office of Child Support Enforcement, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion to file supplemental response 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 appointment of counsel is denied.

CA10-1057. Mercy Health System of Northwest Arkansas, Inc. v. Ajdahan D. Bicak, M.D., from Benton Circuit. Appellee's motion for costs and attorney's fees is passed until the case is submitted. Martin, J., not participating.

CA11-66. Karen Richardson v. Wanda Lamon, from Mississippi Circuit, Osceola District. Appellant's motion to supplement the record or, in the alternative, for petition for writ of certiorari to complete the record and to stay the brief time. Granted thirty days to complete the record. Clerk to set new briefing schedule.

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CA11-122. Rick Lewis v. Jonesboro Country Club, Inc., from Workers' Compensation Commission. Pro se motion for rule on clerk is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CACR10-223. Weston Ludrick v. State of Arkansas, from Washington Circuit.

CACR10-451. Bianca Broggi-Dunn v. Ernest E. Dunn, from Lonoke Circuit.

CACR09-730. Ruth Ann Lagoy v. State of Arkansas, from Stone Circuit. Motion of Jonathan T. Lane for attorney's fees.

CACR10-265. Roy Lee Smith v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Lesley Burleson for attorney's fees and costs.

CACR10-493. Ronald Wayne Magness v. State of Arkansas, from Drew Circuit. Motion of Joseph P. Mazzanti, III for attorney's fees.

CACR10-495. Timothy Wallace Fowler v. State of Arkansas, from Conway Circuit. Motion of Dale E. Adams for attorney's fees.

CACR10-832. James Edward Jackson, Jr. v. State of Arkansas, from Chicot Circuit. Motion of Joseph P. Mazzanti, III for attorney's fees.

CACR10-917. Mary Ann Hillman v. State of Arkansas, from Faulkner Circuit. Motion of Caroline Winningham for attorney's fees.

CACR10-917. Mary Ann Hillman v. State of Arkansas, from Faulkner Circuit. Motion of Caroline Winningham to withdraw as counsel for appellant.

CACR11-53. Orville Dewayne Kelley v. State of Arkansas, from Faulkner Circuit. Motion of B. Keith Faulkner to be relieved and for appointment of Caroline Winningham as counsel for appellant.

CACR11-154. Marcus Amos v. State of Arkansas, from Faulkner Circuit. Motion of Boyd Tackett, Jr. to be relieved and for appointment of Caroline Winningham as counsel for

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appellant.

CA10-452. John O'Hara v. J. Christy Construction Company, Inc., et al. from Workers' Compensation Commission. Appellant's motion in aid of judgment.

CA10-1105. Centennial Bank v. Tribuilt Construction Group, LLC, from Sebastian Circuit, Fort Smith District. Motion of C. Brian Meadors and Amanda Thomas to withdraw as counsel for appellee.

CA10-1129. Margaret E. Light et al. v. James Duvall, from Yell Circuit, Northern District. Appellants' pro se motion to correct references in brief and addendum.

CA10-1302. Betty Tiner v. William Joe "Bill" Tiner, from Saline Circuit. Appellant's motion to supplement the record on appeal.

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CA10-57. Ben Williams et al. v. Liberty Bank of Arkansas, from Clay Circuit, Western District. Argued orally.

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

CACR10-846. Jerome D. Terry v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR10-848. Paul F. Pitchford v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR10-988. Keith Laron Newton v. State of Arkansas, from Bradley Circuit.

CACR10-1014. Brian Keith Jordan v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR10-1062. Wayne Allen Ackerman v. State of Arkansas, from Benton Circuit.

CA10-228. Charles Mason, Jr. v. David Mitcham, from Union Circuit.

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

CA10-601. Danny Wayne Flippen v. Michael R. Jones and Denise A. Jones, from Sebastian Circuit, Fort Smith District.

CA10-690. BAC Home Loans Servicing, LP v. Benefit Bank, from Crawford Circuit.

CA10-747. Lisa Brinkley v. Thomas Brinkley, from Washington Circuit.

CA10-792. James Hubbard v. Homebank of Arkansas, from Searcy Circuit.

CA10-798. David Coombs et al. v. J. B. Hunt Transport, Inc., from Benton Circuit.

CA10-819. Jerry Evans et al. v. Aubrey Mobley et al., from Randolph Circuit.

CA10-828. M.S. v. State of Arkansas, from Crittenden Circuit.

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CA10-850. Marla Reeves Gardner et al. v. Sherry Britton, from Lee Circuit.

CA10-884. Glenda K. Vaughn v. Shelter Mutual Insurance Company, from Scott Circuit.

CA10-887. Chase Manhattan Mortgage Corporation v. First Security Bank of Clarksville, from Johnson Circuit.

CA10-930. Phillip K. Sykes v. King Ready Mix, Inc., from Workers' Compensation Commission.

CA10-977. Lucinda Ann Reynolds v. Keith Hendrix, from Craighead Circuit, Western District.

CA10-994. Delaplaine Farm Center et al. v. Ralph Crafton, from Workers' Compensation Commission.

CA10-1069. Hope School District et al. v. Charles E. Wilson, from Workers' Compensation Commission.

CA10-1194. Ashley Pearson et al. v. Arkansas Department of Human Services, from Carroll Circuit, Eastern District.

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

E10-121. Kim McClellan v. Director et al.

E10-122. Nathan Salinas v. Director et al.

E10-123. TRI National Logistics v. Director et al.

E10-124. Hurshel Choat v. Director et al.

E10-125. Wesley Roderick v. Director et al.

E10-126. Guard Tronic v. Director et al.

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E10-127. Melanie Gyngard v. Director et al.

E10-128. Patricia Turner v. Director et al.

E10-131. Bruce Harvey v. Director et al.

E10-132. Randy Walker v. Director et al.

E10-133. Willnetta Jones v. Director et al.

E10-135. Demecia Birmingham v. Director et al.