

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF APRIL 6, 2011

LARRY D. VAUGHT, CHIEF JUDGE:

[CA10-1090](#). Patsy Cato and Kathi Thompson v. Joyce Hightower, Barbara Droemer, and Jerry Droemer, from Faulkner Circuit. Affirmed. Gruber and Brown, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR10-494](#). Tilton Dale Hill v. State of Arkansas, from Ashley Circuit. Affirmed; motion to withdraw granted. Wynne and Glover, JJ., agree.

[CA10-613](#). Amy L. Piccioni v. Kevin S. Piccioni, from Saline Circuit. Affirmed. Wynne and Glover, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CA10-736](#). Kenneth King v. A.O. French and John Edd Curry, as trustees of the Tyro Cemetery, and Keith Griffin d/b/a Griffin Funeral Service, from Lincoln Circuit. Affirmed. Vaught, C.J., and Hoofman, J., agree.

ROBIN F. WYNNE, JUDGE:

[CACR10-547](#). Corey Lambert v. State of Arkansas, from Jefferson Circuit. Affirmed; motion to withdraw granted. Gladwin and Glover, JJ., agree.

[CA10-823](#). Arkansas Beverage Retailers Association, Inc., Dow Dollar, President, and Albert Young v. Michael Langley, Director, Alcoholic Beverage Control Division and Alcoholic Beverage Control Board; Tyler T. Austin, from Pulaski Circuit, Sixteenth Division. Affirmed. Gladwin and Glover, JJ., agree.

RITA W. GRUBER, JUDGE:

[CA10-902](#). Central Arkansas Foundation Homes, LLC v. Rebecca Choate, from Faulkner Circuit. Affirmed. Hart and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA10-1252](#). Jacee Duvall and Jeremy Dollar v. Arkansas Department of Human Services and minor child, from Pope Circuit. Affirmed; motion to withdraw granted. Gladwin and Wynne, JJ., agree.

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RAYMOND R. ABRAMSON, JUDGE:

[CACR10-646](#). Oscar Perez v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion to withdraw denied; rebriefing ordered. Pittman and Martin, JJ., agree.

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

[CA10-953](#). RPC, Inc., and Tara Claims Services, Inc. v. Jerry Hargues, from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Martin, JJ., agree.

[CA10-992](#). Kenneth McClure v. City of Mayflower, from Faulkner Circuit. Affirmed. Pittman and Martin, JJ., agree.

[CA10-1073](#). Erika Jordan v. Arkansas Department of Human Services, from Conway Circuit. Rebriefing ordered; motion to withdraw denied. Pittman and Martin, JJ., agree.

DOUG MARTIN, JUDGE:

[CA10-883](#). Spill Responders, Inc., et al. v. Charles E. "Chuck" Felts and Dale Orr, from Pulaski Circuit, Thirteenth Division. Affirmed in part; dismissed in part. Pittman and Abramson, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CACR10-847](#). Kelly Don Reeves v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Hart and Robbins, JJ., agree.

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PER CURIAM ORDERS

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).

- E10-137. Carol French v. Director et al.
- E10-138. Rickie Burks v. Director et al.
- E10-139. Brittany Walker v. Director et al.
- E10-140. Norris Lytle v. Director et al.
- E10-141. Michael Rosandich v. Director et al.
- E10-142. Clifford Primeau v. Director et al.
- E10-143. Darrell Clinard v. Director et al.

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PER CURIAM ORDERS

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

CA10-21. Holiday Inn Franchising, Inc., now known as Holiday Hospitality Franchising, Inc. v. Hotel Associates, Inc., from Crittenden Circuit.

CA10-491. Bobby McMullen and Estate of William E. McCullen, Deceased v. Arkansas Elder Outreach of Little Rock, Inc., Malvern Nursing Home, and Healthcare Staffing Associates, Inc., from Hot Spring Circuit.

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

CACR09-1088. Bobby Ray Hatton v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's pro se motion to submit additional points is granted.

CACR10-413. Kirk Johnson v. State of Arkansas, from Jefferson Circuit. Resubmission after remand of motions of Gary W. Potts to withdraw as counsel for appellant and James Clouette for substitution as counsel for appellant are granted.

CACR10-500. Edward Charles Snyder v. State of Arkansas, from Washington Circuit. Motion of Carey E. Lyles Dowdy for attorney's fees is granted. Allowed \$1,400.00.

CACR10-645. Samuel Smith, Jr. v. State of Arkansas, from Crittenden Circuit. Motion of S. Butler Bernard, Jr., for attorney's fees is granted. Allowed \$1,400.00.

CACR10-787. Donnie Ray Slater v. State of Arkansas, from Arkansas Circuit, Southern District. Motion of Marjorie E. Rogers for attorney's fees is granted. Allowed \$1,400.00.

CACR10-802. Oliver J. Delp v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Stacy D. Fletcher for attorney's fees is granted. Allowed \$1,400.00.

CACR10-848. Paul F. Pitchford v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees is granted. Allowed \$1,000.00.

CACR10-867. Mary Diane Cooley v. State of Arkansas, from Grant Circuit. Motion of Bob Frazier for attorney's fees is granted. Allowed \$1,355.00.

CACR10-1306. Jakita Murphy v. State of Arkansas, from Pulaski Circuit, First Division. Resubmission after remand of appellant's motion to find appellant indigent for purposes other than attorney's fees is granted.

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CACR11-39. Marion C. Butler v. State of Arkansas, from Pulaski Circuit, Fifth Division. Resubmission after remand of motion of William O. "Bill" James, Jr. to withdraw and for substitution of James Clouette as counsel for appellant is granted. Gruber, J., not participating.

CACR11-244. Thomas T. Jones v. State of Arkansas, from Jefferson Circuit. Motion of William M. Howard, Jr., to be relieved as counsel for appellant is denied without prejudice. Vaught, C.J., and Gladwin and Martin, JJ., would grant.

CA10-592. Manufacturers & Traders Trust Company et al. v. Tracy M. Nickleson and Carolyn Joan Nickleson, from Faulkner Circuit. Appellees' motion to strike is passed until the case is submitted. Glover, J., not participating.

CA10-601. Danny Wayne Flippen v. Michael R. Jones and Denise A. Jones, from Sebastian Circuit, Fort Smith District. Appellees' motion for attorney's fees from appellant is denied.

CA10-1011. Bryant School District and Risk Management Resources v. Walter A. Aylor and Second Injury Fund, from Workers' Compensation Commission. Appellee/Cross-Appellant's motion to award attorney's fees and to reassess brief costs. Mandate recalled. Motion to award attorney's fees is denied. Motion to reassess brief costs is granted.

CA10-1249. Po-Boy Land Company, Inc., et al. v. Kenneth R. Mullins et al., from Hempstead Circuit. Appellees' motion for oral argument is granted. Glover, J., not participating.

CA11-1. Jacky F. Dunn, D.O. et al. v. Sid Womack, from Pope Circuit. Appellee's motions to strike appellants' statement of the case, substitute appellee's statement of the case, and to advance and affirm are denied.

CA11-96. Tim Fox v. Julie Glassing, from Clark Circuit. Appellant's motion to file belated brief is granted.

CA11-96. Tim Fox v. Julie Glassing, from Clark Circuit. Appellee's motion to dismiss appeal is denied.

CA11-202. James Anderson and Jessica Anderson v. Arkansas Department of Human Services and Minor Children, from Lonoke Circuit. Appellants' motion to correct the record, strike extraneous and irrelevant material, and stay brief time is denied.

E11-67. Marissa J. Leal v. Director et al., from Board of Review. Pro se motion to file belated appeal is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CA10-724. M.J., a Minor v. State of Arkansas, from Craighead Circuit, Western District.

CA10-793. Eric Fox v. Christopher Bryan Nagle, from Saline Circuit.

CA10-862. Holly McClaran v. Amos R. Traw and Moon-Ja Traw, his wife; Tony Lowe and Selena Lowe, his wife; and David Woodward and Kathy Woodward, his wife, from Sharp Circuit.

CA10-1106. Rene Cienfuegos-Mendoza v. Dobbs Coating System, from Workers' Compensation Commission.

CACR10-731. John Tipton v. State of Arkansas, from Cleburne Circuit. Appellant's petition for writ of error coram nobis to proceed in the trial court and motion to stay or recall mandate.

CACR10-731. John Tipton v. State of Arkansas, from Cleburne Circuit. Appellant's motion to stay mandate pending action on petition for writ of error coram nobis.

CACR10-849. Willie J. Wilson, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees.

CACR10-897. Charles Isaac Wilson, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion for rehearing on motion to proceed pro se to submit supplemental brief on direct appeal.

CACR10-1014. Brian Keith Jordan v. State of Arkansas, from Pulaski Circuit, Seventh Division. Amended motion and request of George "Birc" Morledge, IV, for attorney's fees.

CACR11-161. Sara Marie Lynn v. State of Arkansas, from Madison Circuit. Appellant's motion to stay briefing schedule.

CA10-277. Debra Floerchinger v. University of Arkansas for Medical Sciences and Public Employee Claims Division, from Workers' Compensation Commission. Appellees' motion to dismiss appeal.

CA10-828. M.S. v. State of Arkansas, from Crittenden Circuit. Motion of Charles Brian Williams for attorney's fees.

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MOTIONS SUBMITTED

CA10-841. Jackie Robbins v. Debbie Robbins, from Garland Circuit. Appellee's motion to dismiss appeal or, in the alternative, for additional brief time.

CA10-876. Connie Watkins v. Kimberly Dale, from Greene Circuit. Appellant's pro se motion for oral argument.

CA10-1140. Mid-South Mixers, Inc., et al. v. Ryan Stevens, from Workers' Compensation Commission. Appellee's motion to file belated corrected brief.

CA11-40. Johnnie Williams v. Hot Springs Excavating et al., from Workers' Compensation Commission. Appellant's motion to file belated brief.

CA11-57. Steve Crawford v. Superior Industries et al., from Workers' Compensation Commission. Appellees' motion and amended motion to supplement the record and stay briefing schedule.

CA11-180. Delta Regional Airport Authority v. Grover Gunn, III, et al. from St. Francis Circuit. Appellant's petition for writ of certiorari to correct the record and for modification of briefing schedule.

CA11-226. Crafton, Tull, Sparks & Associates, Inc. v. Ruskin Heights, LLC, et al., from Washington Circuit. Appellant's motion to file amended notice of appeal and designation of record.

E10-23. Guy D. Czajka v. Director et al., from Board of Review. Appellant's pro se motion to deny/not accept the appellees' brief.

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SUBMISSIONS

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

CACR10-1005. William Arthur Morrison v. State of Arkansas, from Pulaski Circuit, Second Division.

CACR10-1040. Troy Lynn Scott and Kenneth Crain, Jr. v. State of Arkansas, from Lonoke Circuit.

CACR10-1251. Evert Dillahunt v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CA09-757. Patricia Milner et al. v. Rex Edward Luttrell, M.D., from Dallas Circuit.

CA09-776. Diana J. Lancaster v. Steve Regier, from Benton Circuit.

CA10-754. John H. Gold, Jr. v. Bird E. Vines, from Scott Circuit.

CA10-760. Rebecca Lynne Bowdle v. Gregory Kim Hanke, from Saline Circuit.

CA10-893. Chenal Restoration Contractors, LLC v. Linda Diane Carroll, from Arkansas Circuit, Northern District.

CA10-946. Leesha Renae Chaffin v. Joshua Kane Chaffin, from Crawford Circuit.

CA10-968. Boyd-Corley Construction, LLC v. Orange State Realty, Inc., from Union Circuit.

CA10-1113. St. Edward Mercy Medical Center v. Amber Wilkerson, from Workers' Compensation Commission.

CA10-1137. Thaeo Khampane v. Rheem Manufacturing Company, from Workers' Compensation Commission.

CA10-1224. Honor Renfro v. Arkansas Department of Human Services, from Benton Circuit.

CA10-1259. Mickey Allen v. Arkansas Department of Human Services, from Desha Circuit.

CA10-1278. Amber Dority v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.