

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MARCH 16, 2011**

LARRY D. VAUGHT, CHIEF JUDGE:

[CA10-523](#). Bruce E. Murphy, MD v. Jeanne Murphy, from Pulaski Circuit, Sixteenth Division. Dismissed. Gruber and Brown, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA10-229](#). Melvin Thorn and Sandra Thorn v. Noble Vance Pierson, from Faulkner Circuit. Reversed and remanded with instructions. Robbins and Gruber, JJ., agree.

[CA10-782](#). Van Buren County v. Fairfield Bay Community Club, Inc., from Van Buren Circuit. Affirmed. Robbins and Gruber, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CA10-884](#). Glenda K. Vaughn v. Shelter Mutual Insurance Company, from Scott Circuit. Affirmed. Wynne and Brown, JJ., agree.

[CA10-918](#). Pamela Maiorano v. Samuel Maiorano, from Garland Circuit. Reversed and remanded. Robbins and Hoofman, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CA10-767](#). Micah Mark Marchand v. Rachel Campbell Marchand, from Lonoke Circuit. Affirmed. Wynne and Glover, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CA10-1193](#). Tiffany Cranford and Christopher Cranford v. Arkansas Department of Human Services and minor child, from Sebastian Circuit, Fort Smith District. Reversed and remanded. Hart and Hoofman, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CA10-945](#). Barry J. Jewell v. Debra Duree-Jewell, from Pulaski Circuit, Seventeenth Division. Rebriefing ordered. Gladwin and Glover, JJ., agree.

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RITA W. GRUBER, JUDGE:

[CACR10-787](#). Donnie Ray Slater v. State of Arkansas, from Arkansas Circuit, Southern District. Reversed and dismissed. Pittman, Hart, and Brown, JJ., agree. Robbins and Wynne, JJ., dissent.

[CA10-1106](#). Rene Cienfuegos-Mendoza v. Dobbs Coating System, from the Arkansas Workers' Compensation Commission. Reversed and remanded. Vaught, C.J., and Brown, J., agree.

DAVID M. GLOVER, JUDGE:

[CACR10-749](#). Shirley A. Taylor v. State of Arkansas, from Bradley Circuit. Affirmed. Gladwin and Wynne, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CA10-779](#). Town of Gilbert v. Benjamin F. Fruehauf, II, from Searcy Circuit. Dismissed without prejudice. Pittman and Martin, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR10-708](#). Dewquan Marquis Johns v. State of Arkansas, from Lonoke Circuit. Reversed and remanded. Pittman and Abramson, JJ., agree.

[CA10-999](#). Johnny Smith v. Commercial Metals Company and ESIS, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Gladwin, J., agree.

[CA10-1069](#). Hope School District and Risk Management Resources v. Charles E. Wilson, from the Arkansas Workers' Compensation Commission. Affirmed on direct appeal; affirmed on cross-appeal. Gladwin, J., agrees. Vaught, C.J., concurs.

CLIFF HOOFFMAN, JUDGE:

[CA10-57](#). Ben Williams and Ben Williams, Jr., Family Partnership v. Liberty Bank of Arkansas, from Clay Circuit. Affirmed. Glover and Abramson, JJ., agree.

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WAYMOND M. BROWN, JUDGE:

[CACR10-380](#). Zafar Iqbal v. State of Arkansas, from Baxter Circuit. Affirmed. Hart and Wynne, JJ., agree.

[CA10-828](#). M.S. v. State of Arkansas, from Crittenden Circuit. Reversed. Hart and Wynne, JJ., agree.

[CA10-887](#). Chase Manhattan Mortgage Corp. v. First Security Bank of Clarksville, from Johnson Circuit. Reversed. Hart and Wynne, JJ., agree.

[CA10-920](#). Jeffery Strother, Jerry Strother, and Elois Strother v. David W. Mitchell and Laura Mitchell, from Independence Circuit. Affirmed and remanded with instructions. Vaught, C.J., and Gruber, J., agree.

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**PER CURIAM ORDERS**

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

CACR10-465. Travis Smith v. State of Arkansas, from Mississippi Circuit, Osceola District. Hart, J., would grant.

CA10-406. Rhodis L. Smith, Sr. v. Hershel Lovelace and Venita Lovelace, from Pulaski Circuit, Ninth Division.

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CACR09-730. Ruth Ann Lagoy v. State of Arkansas, from Stone Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,100.00.

CACR09-1358. Moises Diaz v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Jeffrey Weber for attorney's fees is granted. Allowed \$1,200.00.

CACR10-684. Jerry Hawkins v. State of Arkansas, from Hempstead Circuit. Motion of Anthony S. Biddle for attorney's fees is granted. Allowed \$1,400.00.

CACR10-904. James Alva Ross v. State of Arkansas, from Clark Circuit. Motion of Alvin Schay for attorney's fees is granted. Allowed \$1,400.00.

CACR10-1012. David Ockerman v. State of Arkansas, from Pulaski Circuit, First Division. Pro se motion for hearing to relieve counsel is denied.

CACR10-1012. David Ockerman v. State of Arkansas, from Pulaski Circuit, First Division. Pro se motion for appointment of counsel is denied.

CACR10-1012. David Ockerman v. State of Arkansas, from Pulaski Circuit, First Division. Pro se motion to reverse and dismiss is denied.

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

CACR10-1039. Rodney A. Scales v. State of Arkansas, from Drew Circuit. Appellant's motion to supplement the record is granted. Record deemed supplemented.

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CACR10-1056. Charles Raymond v. State of Arkansas, from Jefferson Circuit. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,050.00.

CA09-1411. Adam S. Stibich v. Kimberly Rae Stibich, from Garland Circuit. Appellant's motion and amended motion for order authorizing and requiring the trial court to finally and fully resolve all claims currently pending and viable between the parties and appellant's renewed motion for sanctions against the appellee and appellee's counsel, Cynthia Moody. Motions passed until the case is submitted.

CA10-1134. Pafford Medical Billing Services, Inc., and First Comp Insurance Company v. Tammy R. Smith, from Workers' Compensation Commission. Appellant's motion for attorney's fees is granted.

CA10-1158. Robert E. Bamberg v. Lisa J. Bamberg, from Pulaski Circuit, Fourteenth Division. Appellant's motion for writ of certiorari to complete and correct the record is granted. Vaught, C.J., and Gruber, J., not participating.

CA10-1170. The Lamar Company, LLC d/b/a Lamar Advertising of Greenville v. Arkansas State Highway & Transportation Department, from Pulaski Circuit, Thirteenth Division. Appellant's motion to supplement the record is granted. Record deemed supplemented. Hoofman, J., not participating.

CA10-1191. Kenneth Horey et al. v. Youn Bok Byun, from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal is granted.

CA10-1307. Jose S. Padilla, Jr., MD v. Paul R. Archer and Marie S. Archer, from Boone Circuit. Motion of Appellee Marie S. Archer to appoint special administrator, revive this case, and substitute the special administrator in Paul Archer's stead as appellee is granted. Martin, J., not participating.

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**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CA10-665. Dave Smith v. Decatur School District, from Benton Circuit.

CA10-879. Bill Montgomery v. J & J Lumber Company and Bituminous Casualty, Carrier, from Workers' Compensation Commission.

CA10-891. Eastern Tank Service and Chartis Insurance v. Alton Brown, from Workers' Compensation Commission.

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CACR10-837. Johnny Lynn Bovee v. State of Arkansas, from Saline Circuit. Motion of F. Parker Jones III for attorney's fees.

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

CACR10-1115. Marty Alvard v. State of Arkansas, from Carroll Circuit, Eastern District. Motion of William O. "Bill" James, Jr., for attorney's fees.

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.

CACR11-64. Duke Alexander v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's motion to file belated brief.

CA10-430. Anthony E. Owens v. Office of Child Support Enforcement, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion to request time to file a belated brief.

CA10-724. M.J., a Minor v. State of Arkansas, from Craighead Circuit, Western District. Motion of Terry Goodwin Jones for attorney's fees.

CA10-1327. Finus Sloan and Antonio Gordon v. Arkansas Department of Human Services and Minor Children, from Craighead Circuit, Western District. Motion of Appellant Antonio Gordon to dismiss appeal.

CA11-158. Elizabeth Kelley v. Arkansas Department of Human Services and Minor Children, from Craighead Circuit, Western District. Appellant's motion to correct the record and to stay brief time.

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**SUBMISSIONS**

CA10-514. Tammy McLain et al. v. City of Little Rock Planning Commission, from Pulaski Circuit, Sixteenth Division. Argued orally.

CACR10-48. Robert William Fischer, Jr. v. State of Arkansas, from Benton Circuit.

CACR10-494. Tilton Dale Hill v. State of Arkansas, from Ashley Circuit.

CACR10-547. Corey Lambert v. State of Arkansas, from Jefferson Circuit.

CACR10-646. Oscar Perez v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR10-814. Corey D. Jenkins v. State of Arkansas, from Garland Circuit.

CACR10-847. Kelly Don Reeves v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR10-1091. Chariell Ali Glaze v. State of Arkansas, from Faulkner Circuit.

CA10-613. Amy L. Piccioni v. Kevin S. Piccioni, from Saline Circuit.

CA10-736. Kenneth King v. A.O. French, from Lincoln Circuit.

CA10-823. Arkansas Beverage Retailers Association, Inc., et al. v. Alcoholic Beverage Control Board et al., from Pulaski Circuit, Sixteenth Division.

CA10-883. Spill Responders, Inc., et al. v. Charles E. "Chuck" Felts, from Pulaski Circuit, Thirteenth Division.

CA10-902. Central Arkansas Foundation Homes, LLC v. Rebecca Choate, from Faulkner Circuit.

CA10-953. RPC, Inc., et al. v. Jerry Hargues, from Workers' Compensation Commission.

CA10-1078. Donald Eastman v. Canal Insurance Company, from Ouachita Circuit.

CA10-1082. Kimberly Redwine v. Bobby Turner, from Sharp Circuit.

CA10-1252. Jacee DuVall and Jeremy Dollar. v. Arkansas Department of Human Services et al., from Pope Circuit.

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**SUBMISSIONS**

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

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.