

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF FEBRUARY 25, 2009

LARRY D. VAUGHT, CHIEF JUDGE:

[CACR08-608](#). Vance B. Rollins, Jr. v. State of Arkansas, from Perry Circuit. Affirmed as Modified. Glover and Marshall, JJ., agree.

[CACR08-761](#). Lasonja Mosely v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Gladwin and Kinard, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR08-877](#). Michael Gates v. State of Arkansas, from Craighead Circuit, Western District. Affirmed. Gruber and Baker, JJ., agree.

[CACR08-937](#). Richard Allan Beebe v. State of Arkansas, from Sharp Circuit. Affirmed. Gruber and Baker, JJ., agree.

[CA08-775](#). CV's Family Foods v. Harold L. Caverly, from the Arkansas Workers's Compensation Commission. Affirmed. Hart, Gladwin, Henry and Baker, JJ., agree. Brown, J., dissents.

[CA08-1261](#). Jeri Moore v. Arkansas Department of Human Services, from Baxter Circuit. Affirmed; Motion to Withdraw Granted. Gruber and Baker, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CA08-839](#). James Dale Ellenberg v. Burnett Gibbs Motors, Inc., Risk Management Resources, Death & Permanent Total Disability Trust Fund, and Second Injury Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Glover and Henry, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR06-506](#). Paul Barron, Sr. v. State of Arkansas, from Carroll Circuit, Eastern District. Affirmed. Vaught, C.J., and Kinard, J., agree.

[CACR08-326](#). Cora Hamilton v. State of Arkansas, from Drew Circuit. Reversed and Remanded. Henry and Baker, JJ., agree.

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ROBERT J. GLADWIN, JUDGE: (continued)

[CACR08-734](#). Curtis F. Donaldson v. State of Arkansas, from Drew Circuit. Reversed and Remanded. Vaught, C.J., and Kinard, J., agree.

[CA08-1180](#). LaDonna Newton v. Arkansas Department of Human Services, from Carroll Circuit, Eastern District. Affirmed. Vaught, C.J., and Kinard, J., agree.

JOHN B. ROBBINS, JUDGE:

[CACR08-278](#). Julian Rueda v. State of Arkansas, from Benton Circuit. Affirmed. Marshall and Brown, JJ., agree.

[CA08-517](#). Taylor Chaney v. Gina Kern, from Washington Circuit. Affirmed. Brown, J., agrees. Marshall, J., concurs.

[CA08-676](#). Nicholas Dugan and Deanna Dugan v. American National Property & Casualty Co., from Sebastian Circuit, Greenwood District. Reversed and Remanded. Marshall and Brown, JJ., agree.

M. MICHAEL KINARD, JUDGE:

[CACR08-445](#). Kyrone Deandre Watkins, Marcus Terrell Atkins, and Calvin Jemar Perry v. State of Arkansas, from Hot Spring Circuit. Affirmed. Vaught, C.J., and Gladwin, J., agree.

[CA07-1317](#). Janetta Kearney v. City of Little Rock, from Pulaski Circuit, Thirteenth Division. Affirmed. Glover and Marshall, JJ., agree.

[CA08-642](#). Leyon Bratton v. Doyle Wilson and Ruth Wilson, from Van Buren Circuit. Affirmed. Glover and Marshall, JJ., agree.

[CA08-814](#). Ivory Gage Backus, Loretta Gage Horn, Ida Gage Taylor, and Leon C. Gage v. Richard Howard, American Academy of Arts & Sciences, and Massachusetts Institute of Technology, from Cleburne Circuit. Affirmed. Vaught, C.J., and Gladwin, J., agree.

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RITA W. GRUBER, JUDGE:

[CACR08-794](#). Brandon Williams v. State of Arkansas, from Crittenden Circuit. Affirmed. Pittman and Baker, JJ., agree.

[CA08-591](#). Patricia White v. Dollar General Stores, from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Baker, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CACR08-621](#). Eddie Lewis Williams v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Hart and Henry, JJ., agree.

D.P. MARSHALL JR., JUDGE:

[CACR08-730](#). Henry Mike Watkins, Jr. v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Robbins and Brown, JJ., agree.

[CA08-702](#). Care Manor of Baxter County and Risk Management Resources v. Debra K. Wheeler, Second Injury Fund, and Death & Permanent Total Disability Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Robbins and Brown, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

[CACR08-855](#). Jeffery Hayes v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Hart and Glover, JJ., agree.

[CA08-990](#). Vera Hay v. Arkansas Department of Human Services, from Cleburne Circuit. Affirmed. Hart and Gladwin, JJ., agree.

KAREN R. BAKER, JUDGE:

[CACR08-802](#). Fred Jones v. State of Arkansas, from Poinsett Circuit. Affirmed. Gruber, J., agrees. Pittman, J., concurs.

WAYMOND M. BROWN, JUDGE:

[CACR08-880](#). Victor Cunningkin v. State of Arkansas, from Saline Circuit. Affirmed. Robbins and Marshall, JJ., agree.

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WAYMOND M. BROWN, JUDGE: (continued)

[CA08-960](#). Flash Market, Inc., and AIG Claims Services, Inc. v. Deborah K. Norman, from the Arkansas Workers' Compensation Commission. Affirmed. Robbins and Kinard, JJ., agree.

[CA08-1129](#). Sylvia Howell v. Arkansas Department of Human Services, from Faulkner Circuit. Affirmed. Robbins and Marshall, 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(b).

- E08-180. Michael A. Ruzinsky v. Director et al.
- E08-181. Anita Y. Holub v. Director et al.
- E08-182. Exie Wheaton v. Director et al.
- E08-183. Johnita J. McCoy v. Director et al.
- E08-184. Heather M. Zajac v. Director et al.
- E08-185. David G. Bray v. Director et al.
- E08-186. Velma Parks v. Director et al.
- E08-187. Tayla R. Philpott v. Director et al.
- E08-188. Dave D'Agostino v. Director et al.
- E08-189. Edwin E. Yarbrough v. Director et al.
- E08-191. Lynda L. Hogue v. Director et al.
- E08-192. Franklin Daws v. Director et al.

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PER CURIAM ORDERS

CACR06-506. Paul Barron v. State of Arkansas, from Carroll Circuit, Eastern District. Appellant's pro se motion for photocopies at public expense is denied.

CACR07-623. Ronald Jay Campbell v. State of Arkansas, from Lonoke Circuit. Appellant's motion to expand brief page limits is granted.

CACR07-1173. Anthony Wise v. State of Arkansas, from Jefferson Circuit. Motion of Cecilia Ashcraft for attorney's fees is granted. Allowed \$1,400.00.

CACR08-336. James Dickerson v. State of Arkansas, from Pulaski Circuit, Fifth Division. Appellant's pro se motion for appointment of counsel is denied.

CACR08-408. Frederick Dwayne Mason v. State of Arkansas, from Pulaski Circuit, Second Division. Appellant's pro se petition for writ of error coram nobis is denied.

CACR08-458. Michael L. Anderson v. State of Arkansas, from Ashley Circuit. Appellant Michael Anderson's motion to file belated brief is granted. Brief due March 25, 2009.

CACR08-720. Jennifer Lynn Cheater v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Charles E. Smith for attorney's fees is granted. Allowed \$1,400.00.

CACR08-1285. Connie Watkins v. State of Arkansas, from Greene Circuit. Appellant's pro se motion to supplement the record is denied.

CACR08-1285. Connie Watkins v. State of Arkansas, from Greene Circuit. Appellant's pro se motion to extend due date of appellate brief is granted.

CA08-497. Charles R. Griffith Farms, Inc. v. Edward Grauman, from Phillips Circuit. Appellant's motion for oral argument is granted.

CA08-999. Riceland Foods, Inc. v. Randy Pearson et al., from St. Francis Circuit. Appellees' motion to supplement the record and for permission to reference the supplemental record in Appellees' and Cross-Appellants' brief and motion for extension of brief time. Remanded to the trial court to settle the record within thirty days. Appellees' brief due within thirty days thereafter. Marshall, J., not participating.

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PER CURIAM ORDERS

CA08-1478. Tonya L. Merritt v. Bob Thornton, from Lonoke Circuit. Appellant's motion to remand to settle the record is granted. Record due within thirty days. Brief due within thirty days thereafter.

CA08-1478. Tonya L. Merritt v. Bob Thornton, from Lonoke Circuit. Appellee's motion to dismiss appeal is denied.

CA09-34. Ashley Fortenberry v. Arkansas Department of Human Services, from Faulkner Circuit. Appellant's motion to supplement the record is granted. Record deemed supplemented.

CA09-138. Dorado Ridgell v. Chicot County et al., from Workers' Compensation Commission. Appellant's pro se motion to file belated appeal is denied.

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MOTIONS SUBMITTED

CACR08-530. Ian Hunter Doyle v. State of Arkansas, from Jackson Circuit. Motion of C. Scott Nance for attorney's fees.

CACR08-563. Tyrone Simmons v. State of Arkansas, from Jefferson Circuit. Motion of Paul M. Gehring for attorney's fees and costs.

CACR08-722. Jeremy Long v. State of Arkansas, from Sebastian Circuit, Greenwood District. Motion of Charles E. Smith for attorney's fees.

CACR08-724. Theodis Anderson v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's motion for reconsideration of denial of oral argument request.

CACR08-782. Detriawn R. Wade v. State of Arkansas, from Crittenden Circuit. Appellant's pro se motion to amend exhibits and to submit other exhibits.

CACR08-1439. Phillip Gray v. State of Arkansas, from Ashley Circuit. Appellant's motions to file belated brief.

CA08-253. Lance Henry and Crystal Henry v. Amanda Parker, from Pulaski Circuit, Sixth Division. Appellants' motion for attorney's fees and costs.

CA08-655. Stepping Stone School et al. v. Lisa G. Ferrari et al., from Workers' Compensation Commission. Appellee Lisa Ferrarri's motion for award of attorney's fees.

CA08-679. Forrest F. Gillespie v. Sabrena R. Gillespie, from Mississippi Circuit, Chickasawba District. Appellee's motion for award of attorneys' fees.

CA08-1060. Christina Ratliff and Robert Ratliff v. Arkansas Department of Human Services et al., from Searcy Circuit. Appellees' joint motion to publish opinion.

CA08-1139. Gene Ludwig et al. v. Bella Casa, LLC et al., from Pulaski Circuit, Sixth Division. Appellees' motion to supplement the record and to file supplemental abstract.

CA08-1383. PH, LLC v. City of Conway, Arkansas, from Faulkner Circuit. Appellant's motion to correct or complete the record and for extension of brief time.

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SUBMISSIONS

CA08-139. Tajuana Kay Coker Holman v. Vincent Everett Coker, from Miller Circuit. Argued orally.

CACR08-419. Walter R. Robertson II v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR08-607. Jeremy Garrett v. State of Arkansas, from Desha Circuit, Arkansas City District.

CACR08-724. Theodis Anderson v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR08-786. Michael Adon Thompson v. State of Arkansas, from Ashley Circuit.

CACR08-816. Bobby R. Weatherford v. State of Arkansas, from Faulkner Circuit.

CACR08-882. Terrance Lamont Walton v. State of Arkansas, from Pulaski Circuit, Sixth Division.

CA07-1217. Edmundo G. Rogers v. Cynthia Ann Rogers, from Benton Circuit.

CA08-555. Henry Mills v. Henry Wayne Mills, from Yell Circuit, Northern District.

CA08-583. J. Somers Matthews v. Katherine Matthews, from Pulaski Circuit, Seventeenth Division.

CA08-691. Susan E. Curtis v. Big Lots, Inc. et al., from Workers' Compensation Commission.

CA08-708. Jeffery Moreno v. B. J. Knowles and Robin Knowles, from Drew Circuit.

CA08-742. Pat Salmon & Sons, Inc. v. Pacific Employers Insurance Company, from Workers' Compensation Commission.

CA08-844. Ronald Tadlock v. St. Joseph's Regional Health Center et al., from Workers' Compensation Commission.

CA08-851. Harry Hoffman III v. Schanesta Suskie, from Saline Circuit.

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CA08-889. T-1 Construction, Inc. v. Tannenbaum Development Company, LLC, from Cleburne Circuit.

CA08-894. Marilyn Ritchie v. Stewart Properties, LLC et al., from Workers' Compensation Commission.

CA08-919. Jimmy Frost v. Vanessa Frost, from Drew Circuit.

CA08-955. Jeff Holifield v. Mullenax Financial and Tax Advisory Group, Inc., from Pulaski Circuit, Sixteenth Division.

CA08-972. Joe McCutchen v. Arkansas State Police, from Sebastian Circuit, Fort Smith District.

CA08-1003. Superior Industries and Crockett Adjustment v. Jose Salguero, from Workers' Compensation Commission.

CA08-1054. Jimmy G. Bark, Jr. v. Rheem Old Republic Insurance Company et al., from Workers' Compensation Commission.

CA08-1150. Shanitha Oliver v. Arkansas Department of Human Services, from Pulaski Circuit, Eighth Division.

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SUBMISSIONS

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

E08-194. Nancy L. Harper v. Director et al.

E08-196. Betty J. Wood v. Director et al.

E08-197. Justin P. Miller v. Director et al.

E08-198. Larry D. Dozier v. Director et al.

E08-199. Karen J. Duncan v. Director et al.

E08-200. Jason L. Randolph v. Director et al.

E08-201. Frankie L. Williams, Jr. v. Director et al.

E08-202. Michael W. Estes v. Director et al.

E08-203. Tashara Robinson-White v. Director et al.

E08-204. Heather A. Flanigan v. Director et al.

E08-205. Judy D. Slater v. Director et al.

E08-206. Kimela D. Johnson v. Director et al.