

ARKANSAS COURT OF APPEALS

Proceedings of
August 25, 2010

PER CURIAM ORDERS

CACR09-144. Justin C. Teague v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees is granted. Allowed \$1,000.00.

CACR09-345. Daniel Dorsey v. State of Arkansas, from Crittenden Circuit. Appellant's pro se motion for copy of transcript at public expense is denied.

CACR09-368. Paul Douglas Gill v. State of Arkansas, from Union Circuit. Motion of Dale E. Adams for attorney's fees and expenses is granted. Allowed \$1,400.00.

CACR09-1056. Donald Henry Elmore v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1261. Anthony Detel Beare v. State of Arkansas, from Mississippi Circuit, Osceola District. Motion of Mike Dabney for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1316. Ronda Renee Jeffries v. State of Arkansas, from Crittenden Circuit. Motion of B. Kevin Holland for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1359. Donald T. Stillwell v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1360. Andree Renee Rodgers v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR10-47. Jacob Wade Pope Wages v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's motion to file substituted copy of record is granted.

CACR10-48. Robert William Fischer, Jr. v. State of Arkansas, from Benton Circuit. Appellant's pro se motion for use of trial transcript is denied. Vaught, C.J., not participating.

CACR10-48. Robert William Fischer, Jr. v. State of Arkansas, from Benton Circuit. Appellant's pro se motion for appointment of counsel is denied. Vaught, C.J., not participating.

CACR10-73. Tracy Patrick v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR10-265. Roy Lee Smith v. State of Arkansas, from Arkansas Circuit, Northern District. Resubmission after remand of motion of Jason P. Kearney to be substituted as counsel for appellant and for brief time is granted.

CACR10-383. Jeffery Garcia v. State of Arkansas, from Saline Circuit. Motion of Steven R. Smith to withdraw as counsel for appellant and for appointment of David O. Bowden as substitute counsel is granted.

CACR10-383. Jeffery Garcia v. State of Arkansas, from Saline Circuit. Appellant's motion for extension of brief time is granted. Brief due September 15, 2010.

CACR10-532. Cory Ray Lynch v. State of Arkansas, from Perry Circuit. Appellant's pro se notice of unauthorized representation. Moot.

CACR10-532. Cory Ray Lynch v. State of Arkansas, from Perry Circuit. Motion of Gary J. Barrett to withdraw as counsel for appellant is remanded to the trial court for a hearing and findings of fact within thirty days. See Brewer v. State, 66 Ark. App 324, 992 S.W. 2d 140 (1999).

CACR10-532. Cory Ray Lynch v. State of Arkansas, from Perry Circuit. Motions of John I. Purtle to check out record and/or rule on the clerk, for entry of appearance and to be substituted as counsel for appellant are remanded to the trial court for a hearing and findings of fact within thirty days. See Brewer v. State, 66 Ark. App. 324, 992 S.W. 2d 140 (1999).

CACR10-653. Bryant D. Morris v. State of Arkansas, from Pulaski Circuit, Second Division. Appellant's motion to file belated brief is granted. Brief due September 7, 2010.

CACR10-788. Tommy D. Tatum v. State of Arkansas, from Saline Circuit. Appellant's motion for waiver of abstracting requirement regarding exhibit is granted.

CACR10-824. Chasity Rogers v. State of Arkansas, from Saline Circuit. Appellant's motion to set appeal bond is denied.

CA09-633. Daylan Hunt et al. v. Entergy Arkansas, Inc., from Garland Circuit. Motion of Josh Q. Hurst to be relieved as counsel for appellant is granted.

CA09-842. National Christian Charitable Foundation Support, Inc. v. Harris McHenry Real Estate Co., from Benton Circuit. Appellant's motion for return of superseadeas bond is granted. Pittman, J., not participating.

CA09-1189. Raymond L. Friend v. Alice G. Friend, from Polk Circuit. Appellee's motion and amended motion for attorney's fees are granted in the amount of \$3,250.00.

CA09-1268. Barbara Miller v. White Hall School District, from Workers' Compensation Commission. Appellant's motion for attorney's fees is denied.

CA09-1322. Mitchell G. Sapp v. Tyson Foods, Inc., from Workers' Compensation Commission. Appellant's motion for attorney's fees is granted. Motion for costs moot.

CA09-1380. Mary Gurlen et al. v. Henry Management, Inc., from Pulaski Circuit, Sixth Division. Appellee's motion to file non-conforming brief is denied. Conforming brief due in seven days.

CA09-1411. Adam S. Stibich v. Kimberly Rae Stibich, from Garland Circuit. Appellant's motion for expansion of page limit is denied. Conforming brief due in thirty days. Pittman, J., not participating.

CA10-15. Marketplace Development Corp. et al. v. Keith Hood et al., from Garland Circuit. Appellants' motion to remand or for extension of brief time. Appeal dismissed without prejudice.

CA10-21. Holiday Hospitality Franchising Inc v. Hotel Associates, Inc., from Crittenden Circuit. Joint stipulation (motion) to file substitute reply brief of appellant and response brief of appellant on cross appeal is granted.

CA10-64. Beebe Retirement Center, Inc. v. Larry Kelley, from White Circuit. Appellant's motion to stay briefing or in the alternative for extension of brief time is granted. Brief due in 45 days.

CA10-140. A. F. v. State of Arkansas, from Mississippi Circuit, Osceola District. Motion of John H. Bradley for attorney's fees is granted. Allowed \$1,400.00.

CA10-166. City of Helena-West Helena v. Dominique Donegan, from Phillips Circuit. Appellant's motion for extension of brief time is granted for thirty days. Final extension. Vaught, C.J., and Pittman, Gladwin, Henry and Brown, JJ., would deny.

CA10-203. A. H. v. State of Arkansas, from Conway Circuit. Appellee's motion to dismiss appeal is granted.

CA10-218. Jonnie Locke v. Continental Casualty Co. et al., from Jefferson Circuit. Appellant's motion to supplement the record is granted. Record deemed supplemented.

CA10-229. Sandra Thorn and Melvin Thorn v. Nobel Pierson, from Faulkner Circuit. Appellants' motion for additional brief time is granted. Brief due in thirty days. Final extension. Vaught, C.J., and Pittman, Gladwin, Henry and Brown, JJ., would deny.

CA10-277. Debra Floerchinger v. UAMS, from Workers' Compensation Commission. Appellant's pro se motion to file belated, non-conforming brief is denied. Conforming brief due in 15 days.

CA10-277. Debra Floerchinger v. UAMS, from Workers' Compensation Commission. Appellee's motion to dismiss appeal is denied.

CA10-320. Combined Healthcare Federal Credit Union et al. v. The Arands Corporation, from Garland Circuit. Motion of Q. Byrum Hurst, Jr. to withdraw as counsel for separate Appellant Yvonne Dooley is granted.

CA10-406. Rhodis L. Smith, Sr. v. Hershel Lovelace et al., from Pulaski Circuit, Ninth Division. Motion of Tjuana C. Byrd to be relieved and for substitution of Phillip McGough as counsel for appellees is granted.

CA10-406. Rhodis L. Smith, Sr. v. Hershel Lovelace et al., from Pulaski Circuit, Ninth Division. Appellant's motion to file non-conforming brief is granted.

CA10-416. Kristie Mendez v. David B. Glover, M.D. et al., from Sebastian Circuit, Fort Smith District. Separate Appellee, Sparks Regional Medical Center's motion to dismiss appeal and to stay brief time is granted.

CA10-589. Intents, Inc. v. Southwestern Electric Power Company, from Washington Circuit. Appellant's motion for application for stay of judgment or supersedeas with supersedeas and supersedeas bond is granted.

CA10-610. Centennial Bank et al. v. Tribuilt Construction Group, LLC, from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal is passed until case is submitted.

CA10-619. Peggy Yancey v. Carlyn J. Yancey, from White Circuit. Appellant's motion for permission to file brief sans-serif type is granted.

CA10-639. Cal L. Jones v. Smith-Blair, Inc. et al., from Workers' Compensation Commission. Appellant's pro se motion for extension of time to correct brief is granted. Corrected brief due in 90 days.

CA10-689. Sheila Myers et al. v. Cooper Clinic, P.A. et al., from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal is granted as to Pathology Services Laboratory, P.A., and denied as to Cooper Clinic, P.A. Hart, Gruber, and Brown, JJ., would pass motion until case is submitted.

CA10-742. Erin, Inc. et al. v. Tim Johnson, from Workers' Compensation Commission. Appellee's motion to advance and affirm is denied.

CA10-742. Erin, Inc. et al. v. Tim Johnson, from Workers' Compensation Commission. Appellee's motion to supplement the record is granted.

CA10-761. Johnny Dwayne Draper and Theresa Draper v. Arkansas Department of Human Services et al., from Union Circuit. Appellees' joint motion to dismiss appeal is granted.

CA10-761. Johnny Dwayne Draper and Theresa Draper v. Arkansas Department of Human Services, from Union Circuit. Appellant's motion for stay of briefing schedule is moot.

CA10-770. Margaret Ann Smith v. Morrison Management Specialists, from Workers' Compensation Commission. Appellant's pro se motion to proceed in forma pauperis is denied.

CA10-801. Billy Fewell v. Arkansas Department of Human Services, from Pulaski Circuit, Third Division. Appellant's pro se motion to proceed in forma pauperis is denied.

E10-75. Tracy L Whitaker v. Director et al., from Board of Review. Appellant's pro se motion to file belated appeal is denied.

E10-80. Alexander L. Collins v. Director et al., from Board of Review. Appellant's pro se motion to file belated appeal is denied.

The following cases are dismissed for failure to file briefs pursuant to Arkansas Supreme Court Rule 5-4.

CA09-811. Samuel R. Massey v. Stephanie L. Rick, from Independence Circuit.

CA09-1191. Heather Anne Jackson Rodgers v. Jeremy Emmett Grammer, from Independence Circuit.

CA09-1220. Allison Heinrich and Larry Heinrich v. Michael Bell and Charlotte Burton Bell, from Jefferson Circuit.

MOTIONS SUBMITTED

CACR09-1277. James Richard Grissom v. State of Arkansas, from Boone Circuit. Motion of Christopher Cordero for attorney's fees.

CACR10-579. Terry Pennister v. State of Arkansas, from Arkansas Circuit, Southern District. Motion of Dennis R. Molock to withdraw as attorney for appellant, for appointment of counsel and to stay brief time.

CACR10-845. David Ted Green v. State of Arkansas, from Faulkner Circuit. Motion of Lynn F. Plemmons to be relieved as counsel for appellant and for appointment of appellate counsel.

CA09-931. Kristin N. Kuelbs, Donald Hill and Edwardena Hill v. Kimberly Hill, from Garland Circuit. Appellee's motion to dismiss appeal and for sanctions.

CA10-386. Rosie Lattimore v. Wal-Mart Associates, Inc., from Workers' Compensation Commission. Appellant's pro se motion for reconsideration.

CA10-728. Leonard Stallworth v. Hayes Mechanical, Inc., from Workers' Compensation Commission. Appellant's pro se motion for oral argument and waiver of brief.

CA10-834. Butch Walchli and Elizabeth Walchli v. Joe Morris and Tanni Morris, from Sebastian Circuit, Greenwood District. Appellant's motion for stay pending appeal.

E10-23. Guy D. Czajka v. Director et al., from Board of Review. Appellant's pro se motion to supplement the record, for extension of brief time and for documentation.

SUBMISSIONS

CACR09-1386. Emmett Lee Hillard v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR10-139. Larry Joe Dunlap v. State of Arkansas, from Saline Circuit.

CA09-1001. Carl Crenshaw v. Arkansas Warehouse, Inc., from Crawford Circuit.

CA09-1110. Patricia A. Rhodes v. Kelvin E. Rhodes, from Pulaski Circuit, Ninth Division.

CA09-1310. Deirdre Foster v. Winifred Foster, from Pulaski Circuit, Ninth Division.

CA09-1315. Jean Martin v. Janis Blankenship, from Lonoke Circuit.

CA09-1333. Bank of America, N.A. v. Charles A. Brown, from Pulaski Circuit, Fourteenth Division.

CA09-1336. Thomas Carter et al. v. Simmons First National Corporation, from Jefferson Circuit.

CA09-1393. Janette Hopkins v. Jonathan Hopkins, from Baxter Circuit.

CA10-148. Jerry Passmore v. Johnny Hinchey, County Judge, from Searcy Circuit.

CA10-159. Shane Looney and Monica Looney v. Faye M. Blair, from White Circuit.

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

E10-29. Anne Knight v. Director et al.

E10-30. Branda L. Lowe v. Director et al.

E10-31. Joey E. Presley v. Director et al.

E10-32. Debbie Jenkins v. Director et al.

E10-33. Maria S. Tapia v. Director et al.

E10-34. Theda L. Reddin v. Director et al.

E10-35. George's, Inc. v. Director et al.

E10-36. Charles E. Promise v. Director et al.

E10-37. Rickey L. White v. Director et al.

E10-38. Charles H. Ridgell v. Director et al.

E10-40. Frank M. Morris v. Director et al.