

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 4, 2011**

LARRY D. VAUGHT, CHIEF JUDGE:

[CA10-352](#). David Bolen and Marian Bolen, Jim Blakely and Frances Blakely, Doug Hurley and Melodie Hurley, Diana Gallagher, Roma Gray, Leon Gregory and Helen Gregory, Don Johnson and Debbie Johnson, Michael Luna, and Lanny Samples v. Washington County Zoning Board of Adjustments a/k/a Washington County Planning Board and Big Red Dirt Farm, LLC, from Washington Circuit. Affirmed. Gruber and Brown, JJ., agree.

[CA10-1072](#). Deborah Duncan v. Carelink and Risk Management Resources, from the Arkansas Workers' Compensation Commission. Rebriefing ordered. Gladwin and Hoofman, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR10-310](#). Jamie Fowler v. State of Arkansas, from Yell Circuit. Affirmed. Robbins and Glover, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CACR10-928](#). Joseph Richard Cargill v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Gruber and Martin, JJ., agree.

[CA10-1230](#). St. Edward Mercy Medical Center and Sisters of Mercy Health System v. Karen Gilstrap, from the Arkansas Workers' Compensation Commission. Affirmed. Martin and Hoofman, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR10-1041](#). Joe Jones v. State of Arkansas, from Pulaski Circuit, Seventh Division. Affirmed. Vaught, C.J., and Hoofman, J., agree.

[CA10-1118](#). S.C. Gregory v. Tyson Poultry Company, Tynet Corporation, and Death & Permanent Total Disability Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Gruber, J., agree.

JOHN B. ROBBINS, JUDGE:

[CACR10-1065](#). Charles Alvin Boatright v. State of Arkansas, from Madison Circuit. Affirmed. Pittman and Glover, JJ., agree.

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JOHN B. ROBBINS, JUDGE: (continued)

[CA10-914](#). Andrea Sha Norman v. John Eric Alexander, from Pulaski Circuit, Sixteenth Division. Affirmed in part; reversed in part. Vaught, C.J., and Gruber and Brown, JJ., agree. Hart and Hoofman, JJ., agree in part and dissent in part.

RITA W. GRUBER, JUDGE:

[CACR10-1256](#). Dale Nelson, Jr. v. State of Arkansas, from Phillips Circuit. Affirmed. Martin, J., agrees. Hart, J., concurs.

[CA10-1154](#). Jeffrey D. Allen and Tonya R. Allen v. James M. Weldon and Betty F. Weldon, from Sebastian Circuit, Greenwood District. Dismissed. Martin, J., agrees. Hart, J., concurs.

[CA10-1174](#). Jeremy Hicks v. Norman Faith and Wong Duan Faith, from Union Circuit. Affirmed. Hart and Martin, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CACR10-1269](#). First Arkansas Bail Bonds, Inc. v. State of Arkansas, from Cleburne Circuit. Affirmed. Pittman and Robbins, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CACR10-1270](#). First Arkansas Bail Bonds, Inc. v. State of Arkansas, from Cleburne Circuit. Affirmed. Wynne and Brown, JJ., agree.

DOUG MARTIN, JUDGE:

[CA10-915](#). Virgil C. Furr v. Bechtel Power Corporation, AIG Claims Services, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Gruber, J., agrees. Hart, J., concurs.

CLIFF HOOFFMAN, JUDGE:

[CACR10-1162](#). Jacob Howard Populis v. State of Arkansas, from Grant Circuit. Affirmed. Vaught, C.J., and Gladwin, J., agree.

[CA10-1294](#). Esther Roberts and Bruce Wade v. James Jackson, from Sebastian Circuit, Fort Smith District. Affirmed. Vaught, C.J., and Gladwin, J., agree.

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WAYMOND M. BROWN, JUDGE:

[CA10-1239](#). Michael Whitson v. J.B. Hunt Transport, Inc., and Insurance Company of Pennsylvania, from the Arkansas Workers' Compensation Commission. Affirmed. Wynne and Abramson, JJ., agree.

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**PER CURIAM ORDERS**

CACR10-547. Corey Lambert v. State of Arkansas, from Jefferson Circuit. Appellant's pro se motion for extension of time to file a "notice of appeal and Rule 37.1 petition" is denied.

CACR10-670. Charles Lee Hancock v. State of Arkansas, from Drew Circuit. Motion of Timothy R. Leonard for attorney's fees is granted. Allowed \$1,400.00.

CACR10-1091. Chariell Ali Glaze v. State of Arkansas, from Faulkner Circuit. Motion of Caroline L. Winningham for attorney's fees is granted. Allowed \$1,400.00.

CACR10-1091. Chariell Ali Glaze v. State of Arkansas, from Faulkner Circuit. Motion of Caroline L. Winningham to be relieved as counsel for appellant is granted.

CA10-1108. Ali Shanebandi v. Shalaleh Khoei, from Washington Circuit. Appellee's motion to dismiss appeal is granted. Martin, J., not participating.

[CA10-1276](#). Jennifer Erwin v. Jon Christopher Erwin, from Pulaski Circuit, Seventeenth Division. Appellee's motion to dismiss appeal is granted. *See per curiam* this date. Vaught, C.J., not participating.

CA11-2. Terence Watts v. Sears Roebuck & Co., from Workers' Compensation Commission. Appellant's pro se motion to amend addendum is denied. Glover, J., not participating.

CA11-54. Cicely White-Phillips v. Arkansas Children's Hospital et al., from Pulaski Circuit, Sixth Division. Appellant's pro se motion for additional time to make corrections is granted. Final extension.

CA11-382. Herman Trotter v. State of Arkansas, from Hempstead Circuit. Appellant's motion to supplement the record is granted.

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**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CA10-639. Cal L. Jones v. Smith-Blair, Inc., and Pacific Employers Insurance Co., from Workers' Compensation Commission.

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.

CA10-992. Kenneth McClure v. City of Mayflower, from Faulkner Circuit.

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CACR10-631. Bobby D. Brown v. State of Arkansas, from Cleburne Circuit. Motion of Robert M. "Robby" Golden for attorney's fees.

CACR10-785. Curtis D. Harlmo v. State of Arkansas, from Desha Circuit. Motion of Joseph P. Mazzanti, III, for attorney's fees.

CACR10-1086. James Cortez Arnold v. State of Arkansas, from Washington Circuit. Appellant's motion for oral argument.

CACR10-1133. Jason Wayne Goss v. State of Arkansas, from Crawford Circuit. Motion of Lee D. Short for attorney's fees.

CACR10-1333. James Thompson v. State of Arkansas, from Miller Circuit. Appellant's pro se motion for transcript.

CACR11-161. Sara Marie Lynn v. State of Arkansas, from Madison Circuit. Appellant's motion to file belated brief.

CA10-1123. Rhino Mini-Storage, LLC, et al. v. First National Bank of Rogers f/k/a Bank of Rogers, a division of First National Bank of Fort Smith, from Benton Circuit. Appellee's motion to dismiss appeal.

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**MOTIONS SUBMITTED**

CA10-1124. Gray Construction, Inc., et al. v. First National Bank of Rogers f/k/a Bank of Rogers, a division of First National Bank of Fort Smith, from Benton Circuit. Appellee's motion to dismiss appeal.

CA10-1202. Billy Mike Wilson v. Union Pacific Railroad Company, from Jefferson Circuit. Appellant's motion for oral argument.

CA11-73. William Smith and Mindy Smith v. Lori Smith, from Cleveland Circuit. Appellee's motion to supplement record and stay briefing schedule.

CA11-165. BDO Seidman, LLP, et al. v. SSW Holding Co., Inc., et al., from Sebastian Circuit, Fort Smith District. Appellants' motion for expansion of page limit and motion for stay of briefing schedule/extension of time to file appellants' brief.

CA11-257. Kenneth Smith, Jr., et al. v. Rebsamen Medical Center, Inc., et al., from Pulaski Circuit, Sixth Division. Appellants' motion to remand to correct or clarify record.

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**SUBMISSIONS**

CA10-1031. Southern Farm Bureau Casualty Insurance Co. et al. v. Cleo Watkins, Jr., from Pulaski Circuit, Sixth Division. Argued orally.

CACR09-345. Daniel Dorsey v. State of Arkansas, from Crittenden Circuit.

CACR10-202. Johnny Mingo, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR10-224. Shawn Massey v. State of Arkansas, from Faulkner Circuit.

CACR10-1110. Lee James Owens v. State of Arkansas, from Miller Circuit.

CA10-970. Ruth Macon v. State of Arkansas, from Clark Circuit.

CA10-1088. Patrice Baker v. Arkansas Department of Human Services, from Crittenden Circuit.

CA10-1232. Wayne Smith Trucking, Inc., et al. v. Dan McWilliams, from Workers' Compensation Commission.

CA10-1267. Karen Scott v. Jim Paul Wolfe, from Hot Spring Circuit.

CA10-1277. Wiley F. Jones et al. v. Dottie Kerbow Bourassa, from IZard Circuit.

CA10-1327. Finus Sloan v. Arkansas Department of Human Services, from Craighead Circuit, Western District.

CA11-41. Sheryl Haynes v. Ozark Guidance Center Inc., from Workers' Compensation Commission.

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**SUBMISSIONS**

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

E10-144. Blake Short v. Director et al.

E10-145. C. Michael Risk, D.D.S., P.A. v. Director et al.

E10-146. Susan Harris v. Director et al.

E11-1. Daniel Petree v. Director et al.

E11-2. Travis Lumber Company v. Director et al.

E11-3. Daffney M. Crawford v. Director et al.

E11-4. Charles Woods v. Director et al.

E11-5. Lott Johnson v. Director et al.

E11-6. Harold Foreman v. Director et al.

E11-7. Mark Stave v. Director et al.

E11-8. Lisa Brosch v. Director et al.

E11-9. Fredericks Construction Co. v. Director et al.