

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JUNE 1, 2011

LARRY D. VAUGHT, CHIEF JUDGE:

[CACR10-1039](#). Rodney A. Scales v. State of Arkansas, from Drew Circuit. Affirmed. Pittman and Wynne, JJ., agree.

[CA11-41](#). Sheryl Haynes v. Ozark Guidance Center, Inc., and Risk Management Resources, from Arkansas Workers' Compensation Commission. Affirmed. Pittman and Wynne, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR10-1037](#). Theodis Mitchell, Jr. v. State of Arkansas, from Arkansas Circuit, Northern District. Affirmed. Vaught, C.J. and Wynne, J., agree.

[CACR10-1042](#). Terry Lynn Price v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Vaught, C.J., and Wynne, JJ., agree.

[CA10-1010](#). Latroy Hamilton v. Office of Child Support Enforcement and Janet Easter, from Ouachita Circuit. Reversed and remanded. Robbins and Glover, JJ., agree.

[CA10-1088](#). Patrice Baker v. Arkansas Department of Human Services, from Crittenden Circuit. Affirmed. Vaught, C.J., and Wynne, J., agree.

[CA11-110](#). Crystal Dubois v. Arkansas Department of Human Services, from Washington Circuit. Affirmed. Vaught, C.J., and Wynne, JJ., agree.

[CA11-156](#). Greenway Land Company, Inc. v. Beth Imboden Hinchey, from Cross Circuit. Affirmed. Vaught, C.J., and Wynne, J., agree.

JOSEPHINE LINKER HART, JUDGE:

[CACR11-101](#). Rodney K. Jones v. State of Arkansas, from Chicot Circuit. Affirmed. Gladwin and Abramson, JJ., agree.

[CA10-1210](#). Tammy McCall Myers v. Steven Carter McCall, from Sebastian Circuit, Greenwood District. Dismissed. Gladwin and Abramson, JJ., agree.

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ROBERT J. GLADWIN, JUDGE:

[CACR10-579](#). Terry Penister v. State of Arkansas, from Arkansas Circuit, Southern District. Affirmed. Hart and Abramson, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CACR10-608](#). Michael Gregory v. State of Arkansas, from Crittenden Circuit. Rebriefing ordered; motion to withdraw denied. Martin and Brown, JJ., agree.

[CA11-32](#). Elizabeth Katherine Tribble v. William C. Tribble, from Lawrence Circuit. Affirmed. Martin and Brown, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CACR10-1131](#). Trever Alan Phillips v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Vaught, C.J., and Pittman, J., agree.

[CA10-789](#). Helen Elizabeth Viele v. Lacy Leach Caldwell, from Pulaski Circuit, Twelfth Division. Affirmed. Vaught, C.J., and Pittman, J., agree.

RITA W. GRUBER, JUDGE:

[CACR09-1302](#). Raymond Ysel Bell v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed; motion granted. Glover and Hoofman, JJ., agree.

[CA10-1016](#). John Louis McClure v. Tracy Kara Schollmier-McClure, from Pulaski Circuit, Sixteenth Division. Remanded to settle and supplement the record; substituted brief and addendum ordered. Hart and Gladwin, JJ., agree.

[CA10-1247](#). T.S. v. State of Arkansas, from Faulkner Circuit. Affirmed; motion granted. Glover and Hoofman, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CACR10-1316](#). Theodore Vance v. State of Arkansas, from Mississippi Circuit, Chickasawba District. Affirmed. Gruber and Hoofman, JJ., agree.

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DAVID M. GLOVER, JUDGE: (Continued)

[CA10-1232](#). Wayne Smith Trucking, Inc., and Arkansas Trucking Association v. Dan McWilliams, from Arkansas Workers' Compensation Commission. Affirmed. Hoofman, J., agrees. Gruber, J., concurs.

[CA11-130](#). C.P. v. State of Arkansas, from Craighead Circuit, Western District. Dismissed. Gruber and Hoofman, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CA10-1240](#). Roger Lankford v. Crossland Construction Company and CNA Insurance Company, from Arkansas Workers' Compensation Commission. Affirmed. Hart and Gladwin, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR10-980](#). Robert Joseph Moten v. State of Arkansas, from Arkansas Circuit, Northern District. Affirmed. Hart and Gruber, JJ., agree.

[CACR11-105](#). Charles E. Lovett v. State of Arkansas, from Jefferson Circuit. Affirmed. Robbins and Brown, JJ., agree.

[CA10-1224](#). Honor Renfro v. Arkansas Department of Human Services, from Benton Circuit. Affirmed. Wynne, Gruber, Abramson, and Brown, JJ., agree. Hart, J., dissents.

CLIFF HOOFFMAN, JUDGE:

[CACR10-1209](#). Vernell Renold Conley v. State of Arkansas, from Washington Circuit. Rebriefing ordered. Gruber and Glover, JJ., agree.

[CA11-136](#). Patrick Riley v. Arkansas Department of Human Services, from Independence Circuit. Affirmed; motion to withdraw granted. Glover and Abramson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CA10-1149](#). Patricia Hruska v. Baxter Regional Medical Center et al., from Arkansas Workers' Compensation Commission. Rebriefing ordered. Robbins and Martin, JJ., agree.

[CA10-1166](#). Susan Martin v. Arkansas Department of Human Services and Minor Children, from Benton Circuit. Affirmed. Robbins and Martin, JJ., agree.

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PROCEEDINGS OF JUNE 1, 2011

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).

E11-25. Charles Shackelford v. Director et al.

E11-26. Eric Fossee v. Director et al.

E11-27. Andre Clark v. Director et al.

E11-28. Antonio Livingston v. Director et al.

E11-29. Stan Mitchell v. Director et al.

E11-30. Douglas Robinson v. Director et al.

E11-31. Jarvis Smith v. Director et al.

E11-32. Brighton Ridge v. Director et al.

E11-33. Davis Drug Store v. Director et al.

E11-34. Rebecca Ferry v. Director et al.

E11-35. Sharon Fisher v. Director et al.

E11-36. Robert McIntosh v. Director et al.

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PER CURIAM ORDERS

REHEARING DENIED: Petition for Rehearing was denied today in the following case.

CA10-850. Marla Reeves Gardner et al. v. Sherry Britton, from Lee Circuit.

CACR10-310. Jamie Lynn Fowler v. State of Arkansas, from Yell Circuit, Southern District. Motion of Matthew Lunde for attorney's fees is granted. Allowed \$1,400.00.

CACR10-949. Anthony Holcombe v. State of Arkansas, from Saline Circuit. Motion of F. Parker Jones III for attorney's fees is granted. Allowed \$1,400.00.

CACR10-973. Douglas A. Anderson v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees is granted. Allowed \$1,300.00.

CACR10-974. Justin Curtis Caldwell v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees is granted. Allowed \$1,000.00.

CACR10-1067. Kevin Smith v. State of Arkansas, from Drew Circuit. Motion of Timothy R. Leonard for attorney's fees is granted. Allowed \$1,400.00.

CACR10-1125. Rodney Christopher Cline v. State of Arkansas, from Craighead Circuit, Western District. Motion of Terry Goodwin Jones for attorney's fees is granted. Allowed \$1,400.00.

CACR10-1162. Jacob Howard Populis v. State of Arkansas, from Grant Circuit. Motion of Bob Frazier for attorney's fees is granted. Allowed \$1,400.00.

CACR10-1256. Dale Nelson v. State of Arkansas, from Phillips Circuit. Petition and request of Don Etherly for attorney's fees is granted. Allowed \$1,400.00.

CACR11-350. Willie Author McDaniels v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Denese R. Fletcher to withdraw as counsel is granted. Brown, J., not participating.

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PER CURIAM ORDERS

CACR11-350. Willie Author McDaniels v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Mark Alan Jesse to substitute counsel and request for extension of briefing schedule is granted. Brown, J., not participating.

CA09-1374. Darla Jackson v. Tanya Smith, from Carroll Circuit, Western District. Appellant's renewed motion for taxation of costs is moot.

CA10-944. Cynthia Marie Beyers v. George L. Beyers, III, and Donna G. Beyers, from Saline Circuit. Motion of Lorraine Hatcher to withdraw as counsel for appellant is granted.

CA10-1207. Michael A. Hayes v. Sandra L. Hayes Otto, from Pulaski Circuit, Fourteenth Division. Appellant's pro se motion for Rule 11 sanctions is passed until case is submitted.

CA11-54. Cicely White-Phillips v. Arkansas Children's Hospital et al., from Pulaski Circuit, Sixth Division. Appellant's pro se motion for belated brief is granted. Glover and Martin, JJ., 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 default judgment is denied. Glover and Martin, JJ., not participating.

CA11-226. Crafton, Tull, Sparks & Associates v. Ruskin Heights, LLC, et al., from Washington Circuit. Appellant's motion to file belated supplemental record is granted. Supplemental record due within thirty days. Appellant's brief due within thirty days thereafter. Martin, J., not participating.

CA11-358. Debra Davis v. Schneider National, Inc., et al., from Jefferson Circuit. Appellant's motion to dismiss appeal is granted without prejudice. Motion of Brian G. Brooks to withdraw as counsel is granted.

CA11-370. Yanmar Co., LTD, et al. v. Wanda H. Slater, from Jefferson Circuit. Appellee's motion to file brief in excess of page limits is granted.

CA11-390. Brad Waggoner v. Carrie Lynn Waggoner, from Lonoke Circuit. Motion of Ralph J. Blagg to withdraw as counsel for appellant and for additional brief time is granted.

CA11-402. Jerry Brasfield v. Glayton Johnson, from Jefferson Circuit. Motion of Jeffery H. Kearney to be relieved as counsel for appellant is granted.

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PER CURIAM ORDERS

CA11-466. Sierra Club et al. v. Arkansas Pollution Control and Ecology Commission and Southwest Electric Power Company, from Hempstead Circuit. Unopposed motion to hold portion of the record under seal is granted.

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

E11-133. Oronde I. Jennings v. Director et al., from Board of Review. Pro se motion for belated appeal is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CACR10-532. Cory Ray Lynch v. State of Arkansas, from Perry Circuit.

CA10-914. Andrea Sha Norman v. John Eric Alexander, from Pulaski Circuit, Sixteenth Division.

CA10-915. Virgil C. Furr v. Bechtel Power Corporation, AIG Claims Services, and Death & Permanent Total Disability Trust Fund, from Workers' Compensation Commission.

CA10-1118. S.C. Gregory v. Tyson Poultry Company, Tynet Corporation, and Death & Permanent Total Disability Trust Fund, from Workers' Compensation Commission.

CACR10-1032. Daniel E. Rhoades v. State of Arkansas, from White Circuit. Appellant's pro se motion to relieve retained counsel.

CACR10-1333. James Thompson v. State of Arkansas, from Miller Circuit. Appellant's pro se motion to relieve counsel and to file a supplemental brief.

CA11-52. Aaron Vanasse et al. v. Britte Smith, M.D., et al., from Washington Circuit. Appellants' motion for additional brief time.

CA11-381. Gerald Durham v. White Hall Public Schools, from Workers' Compensation Commission. Appellant's motion to correct the record and to stay brief time.

CA11-460. S.M.C. v. State of Arkansas, from Grant Circuit. Motion of Bob Frazier to be relieved as counsel for appellant.

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SUBMISSIONS

CA10-1257. First Electric Cooperative Corp. v. Black, Corley, Owens & Hughes, P.A., and Building Design Services, Inc., from Pulaski Circuit, Ninth Division. Argued orally.

CACR10-1086. James Cortez Arnold v. State of Arkansas, from Washington Circuit.

CACR11-20. Jeryl Dean Bond v. State of Arkansas, from Sebastian Circuit, Greenwood District.

CACR11-86. Brian Lunsford and Edward Evans v. State of Arkansas, from Hot Spring Circuit.

CA10-492. Jerri L. Bishop and Estate of Guy Douglas Bishop, Jr. v. Tariq, Inc., from Pulaski Circuit, Sixteenth Division.

CA10-776. Troy Cobren v. Laura Anderson, from Yell Circuit, Northern District.

CA10-1234. Odd Jobs & More and Nationwide Mutual Insurance Company v. Rosewell Reid, from Workers' Compensation Commission.

CA10-1242. Marty Kilman v. Catherine L. Kennard, from Cleburne Circuit.

CA10-1243. Mearl McCoy v. Ernest A. Jackson, Jr., and Carolyn Jackson, from Garland Circuit.

CA11-31. Dan Billingsley v. Planit Dirt Excavation & Concrete, Inc., from Saline Circuit.

CA11-69. Curtis Bridges v. Glen Shields, from Cleveland Circuit.

CA11-135. Owens Planting Company et al. v. Arvel B. Graham, from Workers' Compensation Commission.

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SUBMISSIONS

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

E11-16. Ron Wochner v. Director et al.

E11-37. Thomas Woods v. Director et al.

E11-38. Thomas Borengasser v. Director et al.

E11-40. Theresa Marshall v. Director et al.

E11-41. Doris Hardie v. Director et al.

E11-43. Melissa Stearns v. Director et al.

E11-44. Timothy Arnold v. Director et al.

E11-45. Dennis Newton v. Director et al.

E11-46. Daphany Ragland v. Director et al.

E11-47. Timothy Romero v. Director et al.

E11-48. Maudie Edwards v. Director et al.

E11-49. Janet Daggett v. Director et al.