

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JUNE 15, 2011**

LARRY D. VAUGHT, CHIEF JUDGE:

[CA09-1363](#). Marx Real Estate Investments, LLC; Margie Marx; and Allan Marx v. Dr. Victor Coloso and Regina Coloso and Envision Real Estate Group, LLC, from Sebastian Circuit, Fort Smith District. Affirmed on direct appeal; affirmed on cross-appeal; motion to dismiss cross-appeal denied. Pittman and Wynne, JJ., agree.

[CA10-1114](#). Billy Johnson and D&G Bail Bonds, LLC v. Arkansas Professional Bail Bond Co. and Professional Bail Bondsman Licensing Board, from Pulaski Circuit, Sixteenth Division. Affirmed. Pittman and Wynne, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR10-935](#). Charles Davis v. State of Arkansas, from Mississippi Circuit, Osceola District. Motion to withdraw denied without prejudice; rebriefing ordered. Vaught, C.J., and Wynne, J., agree.

[CACR11-20](#). Jeryl Dean Bond v. State of Arkansas, from Sebastian Circuit, Greenwood District. Affirmed. Gladwin and Brown, JJ., agree.

[CA11-4](#). Larry Tucker and Jessica Tucker v. Arkansas Department of Human Services, from Perry Circuit. Affirmed. Robbins and Glover, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CACR10-704](#). Elea L. Murray III v. State of Arkansas, from Crittenden Circuit. Motion to withdraw denied; rebriefing ordered. Gladwin and Abramson, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CACR10-1231](#). Malcolm Morton v. State of Arkansas, from Union Circuit. Affirmed. Martin and Brown, JJ., agree.

[CA11-90](#). Dawna Bellamy v. Robert Bellamy, from Lonoke Circuit. Reversed and remanded. Martin and Brown, JJ., agree.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JUNE 15, 2011**

ROBIN F. WYNNE, JUDGE:

[CACR10-845](#). David Ted Green v. State of Arkansas, from Faulkner Circuit. Affirmed. Vaught, C.J., and Pittman, J., agree.

DAVID M. GLOVER, JUDGE:

[CA10-689](#). Sheila Myers and Trevor Myers v. Cooper Clinic, P.A., and Pathology Services Laboratory, P.A., from Sebastian Circuit, Fort Smith District. Affirmed. Hoofman, J., agrees. Gruber, J., concurs.

RAYMOND R. ABRAMSON, JUDGE:

[CA10-1275](#). Freddie W. Sammons, Sr. and Patricia Gail Sammons v. Seeco, Inc., from Yell Circuit, Southern District. Dismissed. Hart and Gladwin, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR11-38](#). Kyle Dishman v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Robbins and Brown, JJ., agree.

[CA10-1267](#). Karen Scott v. Jim Paul Wolfe, from Hot Spring Circuit. Reversed and dismissed. Robbins and Brown, JJ., agree.

[CA10-1282](#). Lemuel David Walker v. Richard B. Burton and Julie Burton, from Lafayette Circuit. Affirmed. Robbins and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CACR10-644](#). Jonathan E. Olivarez v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Motion to withdraw granted. Robbins and Martin, JJ., agree.

[CACR11-86](#). Brian Lunsford and Edward Evans v. State of Arkansas, from Hot Spring Circuit. Affirmed. Pittman and Gladwin, JJ., agree.

[CA10-900](#). Derek Pippinger and Andrea Pippinger v. Doris Benson and Bertie Blasingame, from Poinsett Circuit. Affirmed. Robbins and Martin, JJ., agree.

**ARKANSAS COURT OF APPEALS**

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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).

- E11-16. 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.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JUNE 15, 2011**

**PER CURIAM ORDERS**

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

CACR10-532. Cory Ray Lynch v. State of Arkansas, from Perry Circuit. Hart, J., would grant.

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

CA10-915. Virgil C. Furr v. Bechtel Power Corporation, from Workers' Compensation Commission.

CA10-1118. S.C. Gregory v. Tyson Poultry Company, from Workers' Compensation Commission. Hart, J., would grant.

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

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 is denied.

CACR11-341. Daniel Lewis v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's second amended motion of Jack R. Kearney to proceed in forma pauperis and motion to be relieved as counsel of record is granted. Walt McCarter is appointed to represent appellant.

CA10-1105. Centennial Bank v. Tribuilt Construction Group, LLC, from Sebastian Circuit, Fort Smith District. Stay lifted. Appellant's brief due July 15, 2011.

CA11-52. Aaron Vanasse et al. v. Britte Smith, M.D., et al., from Washington Circuit. Appellant's motion for additional brief time is granted. Appellants' brief due August 15, 2011. Martin, J., not participating.

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 is granted.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JUNE 15, 2011**

**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

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

CA10-1031. Southern Farm Bureau Casualty Insurance Company and Farm Bureau Mutual Insurance Company of Arkansas, Inc. v. Cleo Watkins, Jr., and Brenda Watkins, from Pulaski Circuit, Sixth Division.

CA10-1049. Forever Green Athletic Fields, Inc. d/b/a/ Progreen, Keith Day, David Ripka, Progreen Sport Surfaces, LLC, and Raymond Fritz v. Lasiter Construction, Inc., from Pulaski Circuit, Third Division.

CA10-1132. Dana K. Kemp v. Kevin L. Kemp, from Pulaski Circuit, Ninth Division.

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CACR09-345. Daniel Dorsey v. State of Arkansas, from Crittenden Circuit. Appellant's pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.

CACR10-202. Johnny Mingo, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees.

CACR10-383. Jeffery Garcia v. State of Arkansas, from Saline Circuit. Appellant's pro se motion for extension of time to file a petition for rehearing.

CACR10-897. Charles Isaac Wilson, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees.

CACR10-1012. David Ockerman v. State of Arkansas, from Pulaski Circuit, First Division. Motion of Jonathan T. Lane for attorney's fees.

CACR10-1040. Troy Lynn Scott and Kenneth Crain v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees.

CACR10-1040. Troy Lynn Scott and Kenneth Crain v. State of Arkansas, from Lonoke Circuit. Motion of Robert M. "Robby" Golden for attorney's fees.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JUNE 15, 2011**

**MOTIONS SUBMITTED**

CACR10-1063. Nathaniel Ray Brown v. State of Arkansas, from Carroll Circuit, Eastern District. Motion of Robert M. "Robby" Golden for attorney's fees.

CACR10-1331. William Losh Dover v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees.

CACR11-14. Derek Lee Jackson v. State of Arkansas, from Pulaski Circuit, Second Division. Appellant's motion for waiver of abstracting requirement.

CACR11-79. Autry Basham v. State of Arkansas, from Sebastian Circuit, Greenwood District. Appellant's motion for stay of mandate.

CACR11-261. Christian Adan Villagran v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's motion for writ of certiorari to complete the record and stay brief time.

CACR11-292. Charles D. Grissom, Jr. v. State of Arkansas, from Miller Circuit. Appellee's motion to dismiss appeal.

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

CA10-940. Rebecca Jean Meritt Watkins v. Floyd Charles Watkins, from Phillips Circuit. Appellant's motion to file belated brief.

CA10-1031. Southern Farm Bureau Casualty Insurance Company and Farm Bureau Mutual Insurance Company of Arkansas, Inc. v. Cleo Watkins, Jr., and Brenda Watkins, from Pulaski Circuit, Sixth Division. Appellees' motion for costs.

CA10-1072. Deborah Duncan v. CareLink and Risk Management Resources, from Workers' Compensation Commission. Appellees' motion to dismiss appeal.

CA10-1159. Marsha Criner v. Donna B. Reddell, from Boone Circuit. Appellee/cross-appellant's motion to supplement addendum.

CA11-78. Fan Timpani v. Lakeside School District, from Garland Circuit. Appellee's motion to file belated brief.

CA11-130. C. P. v. State of Arkansas, from Craighead Circuit, Western District. Motion of

Paul Teufel for attorney's fees.

CA11-145. William Austin v. Arkansas Department of Human Services, from Mississippi Circuit, Chickasawba District. Appellant's motion to substitute petition on appeal.

CA11-340. Brenda A. Browning v. David Browning, from Faulkner Circuit. Motion of Debra J. Reece to be substituted as counsel for appellee and for brief time.

E11-138. Jamal Brown v. Director et al., from Board of Review. Pro se motion to file belated appeal.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF JUNE 15, 2011**

**SUBMISSIONS**

CACR10-341. Charles Lanell Williams v. State of Arkansas, from Clark Circuit.

CACR10-542. Otis Wade v. State of Arkansas, from Crittenden Circuit.

CACR10-825. Terry Lee Mace v. State of Arkansas, from Johnson Circuit.

CACR10-972. Alvinito Colina Bluebird v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR10-1000. Lonnie Lynn Miller v. State of Arkansas, from Union Circuit.

CACR10-1211. Barney Lee Doles v. State of Arkansas, from Clark Circuit.

CACR10-1227. Marcio Harris v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR10-1233. Ingrid Batton v. State of Arkansas, from Miller Circuit.

CACR10-1258. Carlton X. Russell v. State of Arkansas, from White Circuit.

CACR10-1273. Andre Baker v. State of Arkansas, from Saline Circuit.

CACR11-18. Anthony Dewayne Price v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR11-24. Frank Parmley v. State of Arkansas, from Benton Circuit.

CACR11-48. Marcus Ross v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR11-49. Kirk Byron Stansell v. State of Arkansas, from Perry Circuit.

CA11-87. Shawna Jessup v. Arkansas Department of Human Services, from Craighead Circuit, Western District.

## **ARKANSAS COURT OF APPEALS**

### **PROCEEDINGS OF JUNE 15, 2011**

#### **SUBMISSIONS**

CA11-158. Elizabeth Kelley v. Arkansas Department of Human Services, from Craighead Circuit, Western District.

CA11-177. April Frazier v. Arkansas Department of Human Services, from Benton Circuit.



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

E11-42. Eddie Robinson v. Director et al.

E11-61. AAA Cooper Transportation v. Director et al.

E11-62. Lester Marriott v. Director et al.

E11-63. Martin Bowlin v. Director et al.

E11-65. Clint Scheel v. Director et al.

E11-66. Hunter Thomas, Jr. v. Director et al.

E11-68. Allison Nethery (Duncan) v. Director et al.