

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF SEPTEMBER 14, 2011**

LARRY D. VAUGHT, CHIEF JUDGE:

[CA11-301](#). Samantha Crihfield v. Arkansas Department of Human Services, from Benton Circuit. Affirmed. Hart and Glover, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR09-1088](#). Bobby Ray Hatton v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed; motion to withdraw granted. Gladwin and Brown, JJ., agree.

[CA11-44](#). Cathryn A. Johnson v. Batesville Nursing & Rehabilitation, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Brown, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CACR10-846](#). Jerome D. Terry v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Vaught, C.J., and Glover, J., agree.

[CA10-1151](#). Allen Engineering Corp. and Cincinnati Insurance Co. v. Roy E. Green, Arkansas Guarantee Fund, and Second Injury Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Glover, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR10-943](#). Jimmy Lee Williams v. State of Arkansas, from Ouachita Circuit. Affirmed. Pittman and Brown, JJ., agree.

[CA11-202](#). Jessica Anderson and James Anderson v. Arkansas Department of Human Services and Minor Children, from Lonoke Circuit. Affirmed. Pittman and Brown, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CACR11-68](#). Ulises Arroyo, Jr. v. State of Arkansas, from Lonoke Circuit. Affirmed. Gruber and Abramson, JJ., agree.

[CA11-168](#). Jerry Beaver v. Graphic Packaging and Liberty Mutual Group, from the Arkansas Workers' Compensation Commission. Reversed and remanded. Gruber and Abramson, JJ., agree.

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ROBIN F. WYNNE, JUDGE:

[CACR11-64](#). Duke Alexander v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Martin and Hoofman, JJ., agree.

[CA11-183](#). Mary Anderson v. Arkansas Department of Human Services and B.A.1., B.A.2., M.A., and H.A., minors, from Pulaski Circuit, Eleventh Division. Affirmed. Martin and Hoofman, JJ., agree.

[E10-114](#). Sheila D. Jarrett v. Director, Department of Workforce Services and City of Sherwood, from the Arkansas Board of Review. Affirmed. Martin and Hoofman, JJ., agree.

RITA W. GRUBER, JUDGE:

[CACR11-208](#). John Dewey Jackson v. State of Arkansas, from Washington Circuit. Affirmed. Robbins and Abramson, JJ., agree.

[CA11-2](#). Terence Watts v. Sears Roebuck & Company and Indemnity Insurance of North America, from the Arkansas Workers' Compensation Commission. Affirmed. Robbins and Abramson, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CACR11-45](#). Nehemiah Armstrong v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Vaught, C.J., and Hart, J., agree.

[CA11-10](#). Deutsche Bank National Trust Company v. Mike Austin, from Sebastian Circuit, Fort Smith District. Reversed. Vaught, C.J., agrees. Hart, J., concurs.

[CA11-35](#). Five Rivers Medical Center and Risk Management Resources v. Daniel Freeman, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Hart, J., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CACR11-30](#). Ryan McElroy v. State of Arkansas, from Pulaski Circuit, Seventeenth Division. Affirmed. Robbins and Gruber, JJ., agree.

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RAYMOND R. ABRAMSON, JUDGE: (Continued)

[CA11-201](#). Rebecca Christian-Holderfield and James Holderfield v. Arkansas Department of Human Services and Minor Children, from Carroll Circuit, Western District. Affirmed. Robbins and Gruber, JJ., agree.

DOUG MARTIN, JUDGE:

[CA10-1129](#). Donald Light and Margaret E. Light v. James Duvall and Brenda Duvall, from Yell Circuit, Northern District. Affirmed. Wynne and Hoofman, JJ., agree.

[CA11-225](#). Earnest McGaughey v. Arkansas Department of Human Services, from Carroll Circuit, Eastern District. Affirmed. Wynne and Hoofman, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CACR10-1128](#). Nigel Poland v. State of Arkansas, from Saline Circuit. Affirmed. Wynne and Martin, JJ., agree.

[CA11-42](#). Cloretta Hawley v. First Security Bancorp and Travelers Insurance Company, from the Arkansas Workers' Compensation Commission. Affirmed. Wynne and Martin, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CACR10-1244](#). Thomas Smith, Jr. v. State of Arkansas, from Drew Circuit. Affirmed. Pittman and Gladwin, JJ., agree.

[CA11-40](#). Johnnie Williams v. Hot Springs Excavating Co., and EMC Ins. Co., from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Gladwin, JJ., agree.

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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).

- E10-129. Eugene Smith v. Director et al.
- E11-50. Essence Brandon v. Director et al.
- E11-51. Edward Briscoe v. Director et al.
- E11-52. Linwood Dame v. Director et al.
- E11-53. Ray Davidson v. Director et al.
- E11-54. Cynthia Dame v. Director et al.
- E11-55. Maxine Jones v. Director et al.
- E11-56. Thomas Jensen v. Director et al.
- E11-57. Hutton Contracting Co. v. Director et al.
- E11-58. Rowland Owan v. Director et al.
- E11-60. Ron W. Culver v. Director et al.

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**PER CURIAM ORDERS**

CACR11-329. Fred O. Warren v. State of Arkansas, from Crittenden Circuit. Appellee's motion to remand to settle the record is granted. Supplemental record due within fifteen days. Appellee's brief due within thirty days thereafter.

CACR11-415. Edward Anthony Liggins v. State of Arkansas, from Craighead Circuit, Western District. Appellant's motion for additional brief time is granted. Appellant's brief due October 14, 2011. Final extension.

CACR11-568. Felipe Reyes v. State of Arkansas, from Miller Circuit. Appellant's motion to supplement record on appeal and to stay briefing deadlines is granted. Supplemental record due within thirty days. Appellant's brief due within thirty days thereafter.

CACR11-717. Rebecca Mary Turner v. State of Arkansas, from Garland Circuit. Motion to appoint Q. Byrum Hurst, Jr., as attorney of record and for brief time is remanded to the trial court for a hearing within fifteen days pursuant to *Brewer v. State*, 64 Ark. App. 372, 984 S.W.2d 65 (1998). Gladwin, Robbins, and Glover, JJ., would grant.

CACR11-841. Gary Edward Knotts v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Joseph C. Self for leave to withdraw appearance as counsel is denied without prejudice. See Ark. Sup. Ct. R. 4-3(k)(1).

CA11-124. Guillermina Padilla Briseno v. George's, Inc., from Workers' Compensation Commission. Joint motion to remand and to stay appeal is denied.

CA11-388. Hazel Sutton et al. v. Charlie Gardner, from Van Buren Circuit. Appellants' motion for leave to expand reply brief and for brief time is granted. Appellants' reply brief page limit expanded three pages to eighteen pages total. Reply brief due September 21, 2011.

CA11-466. Sierra Club v. Arkansas Pollution Control and Ecology Commission et al., from Hempstead Circuit. Appellant's motion for expansion of brief page limit is granted. Argument section of Appellant's brief expanded ten pages to forty pages total.

CA11-634. Bonnie Householder v. Arkansas Department of Human Services, from Crawford Circuit. Motion of David L. Moore to withdraw as counsel for appellant is granted.

CA11-739. Arkansas Department of Human Services v. A.M. et al., from Jefferson Circuit. Appellant's motion to supplement the record and stay the briefing schedule is granted. Record deemed supplemented. Appellant's brief due October 14, 2011.

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**PER CURIAM ORDERS**

CA11-765. Jennifer Marie Thornton v. Arkansas Department of Human Services, from Crawford Circuit. Motion of David L. Moore to withdraw as counsel for appellant is granted.

The following cases are dismissed for failure to file briefs in accordance with Supreme Court Rule 4-5.

CA10-541. Arkansas State Highway Commission v. Regan E. Miller, from Benton Circuit.

CA10-857. Brian M. McWilliams v. Myron Lance, from Polk Circuit.

CA10-1205. Michael Disney v. Julie Love, from Washington Circuit. Martin, J., not participating.

CA11-203. Ursula VanBeek v. Hot Springs Bank and Trust Company, from Garland Circuit.

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**MOTIONS SUBMITTED**

CACR10-723. Chasmun F. Miller v. State of Arkansas, from Union Circuit. Motion of Robert N. Jeffrey for attorney's fees.

CACR10-1171. Greg Eugene Kellar, II v. State of Arkansas, from Garland Circuit. Motion of T. Clay Janske for attorney's fees.

CACR11-295. Barry C. Fredrickson, Jr. v. State of Arkansas, from Garland Circuit. Appellant's motion to file a supplemental addendum.

CACR10-1301. Joseph Tyrone Garr v. State of Arkansas, from Garland Circuit. Motion of Victor D. "Trey" Wright, III., for attorney's fees.

CACR11-819. Benjamin Eagle v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's pro se motion for certiorari to complete record.

CA11-197. Billy R. Hallum v. Estate of Mel Hallum, from Craighead Circuit, Western District. Appellant's motion to supplement the record.

CA11-402. Jerry Brasfield v. Glayton Johnson, from Jefferson Circuit. Appellee's motion to dismiss appeal.

CA11-538. Mafalda Casas-Cordero v. Anthony Mira, from Baxter Circuit. Appellant's motion to supplement record

CA11-783. Jim Peterson et al. v. William "Bill" Davis et al., from Baxter Circuit. Appellants' motion to supplement notice of appeal to comply with Rule 3(e)(vi) and to stay brief time.

CA11-796. Sheila Milton v. K-Tops Plastic Mfg. Co. et al., from Workers' Compensation Commission. Appellee Second Injury Fund's motion for a bifurcated briefing schedule.

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**SUBMISSIONS**

CA10-591. Terry Richardson v. Union Pacific Railroad Company, from Pulaski Circuit, Third Division. Argued orally.

CA11-351. Kolbrun Elan Vela v. Isak Thor Ragnarsson, from Benton Circuit. Argued orally.

CACR10-1320. Cameka Sullivan v. State of Arkansas, from Saline Circuit.

CACR11-29. Sheva Howard v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR11-270. William Phillips v. State of Arkansas, from Pulaski Circuit, Second Division.

CA10-960. Anthony Roseburrow v. Department of Human Services, from Faulkner Circuit.

CA10-1015. St. Joseph's Mercy Health Center v. Melissa Edwards, from Garland Circuit.

CA11-22. Michael Goodwin v. TRI National, Inc., from Workers' Compensation Commission.

CA11-174. Michael B. Belin v. United Parcel Service, from Workers' Compensation Commission.

CA11-275. Cynthia Grady et al. v. Noah Grady, from Workers' Compensation Commission.

CA11-302. Keisha Williams v. Department of Human Services, from Jefferson Circuit.

CA11-313. Matthew L. Edmisten v. Bull Shoals Landing, from Workers' Compensation Commission.

CA11-377. Richard Leach v. Cooper Tire & Rubber Company, from Workers' Compensation Commission.

CA11-380. Bradley Clevenger v. City of Jonesboro, from Workers' Compensation Commission.

CA11-455. Christopher Murray v. Department of Human Services et al., from Washington Circuit.

CA11-456. Angela Burnett and Quinton Harris v. Department of Human Services et al., from Perry Circuit.

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**SUBMISSIONS**

CA11-474. Eric Philpott v. Department of Human Services et al., from Sebastian Circuit, Fort Smith District.

CA11-504. Mark Litchford and Kristin Litchford v. Department of Human Services, from Sebastian Circuit, Fort Smith District.

CA11-508. Edward Glover, Sr. v. Department of Human Services et al., from Pulaski Circuit, Eleventh Division.

CA11-529. David Cariker and Laura Cariker v. Department of Human Services et al., from Johnson Circuit.

CA11-534. Susan Stewart v. Department of Human Services et al., from Ouachita Circuit.

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

E11-81. Tammy Nelke v. Director et al.

E11-82. Vera M. Lewis v. Director et al.

E11-83. Traez Gibson v. Director et al.

E11-84. Derrick Grant v. Director et al.

E11-85. Jennifer A. Holman v. Director et al.

E11-86. Willie L. Anderson v. Director et al.

E11-87. Kevin W. Gee, Jr. v. Director et al.

E11-88. Jasper F. Lawson v. Director et al.

E11-89. Othalene Williams-Davis v. Director et al.

E11-90. Cynthia A. Leonard v. Director et al.

E11-91. Melvin T. Cranford v. Director et al.

E11-92. Steven Jones v. Director et al.