

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 12, 2011

LARRY D. VAUGHT, CHIEF JUDGE:

[CACR10-1336](#). Curvin Vontal McCoy v. State of Arkansas, from Bradley Circuit. Affirmed. Hoofman and Brown, JJ., agree.

[CA11-639](#). Colleen New and Billy New v. Arkansas Department of Human Services and Minor Children, from Lonoke Circuit. Affirmed. Hoofman and Brown, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR10-1333](#). James Ray Thompson v. State of Arkansas, from Miller Circuit. Affirmed. Hart and Robbins, JJ., agree.

[CA11-139](#). Guy Garner and Ruby Garner v. XTO Energy, Inc., from Cleburne Circuit. Affirmed. Hart and Robbins, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CACR10-1306](#). Jakita Sealine Murphy v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed. Pittman and Robbins, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR11-198](#). Karla L. Brown v. State of Arkansas, from Garland Circuit. Affirmed. Wynne and Gruber, JJ., agree.

[CA11-241](#). Brandy Pinto v. John Sims and Tasha Sims, from Saline Circuit. Reversed. Wynne and Gruber, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CACR11-221](#). Duke Alexander v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Pittman and Hart, JJ., agree.

[CA11-142](#). Kenneth Hipp and Daniel Hipp v. Vernon L. Smith & Associates, Inc., and Chesapeake Exploration, Limited Partnership, from Cleburne Circuit. Affirmed. Pittman and Hart, JJ., agree.

[CA11-214](#). Eric French v. Barbara French, from Pulaski Circuit, Fifteenth Division. Affirmed. Pittman and Hart, JJ., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 12, 2011

ROBIN F. WYNNE, JUDGE:

[CACR11-126](#). Shari D. Phillips v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Gladwin and Gruber, JJ., agree.

[CA11-228](#). Joseph Michael Hadley v. Ken Hamilton, Karen Hamilton, and Alissa Sharp, from Pulaski Circuit, Ninth Division. Affirmed. Gladwin and Gruber, JJ., agree.

RITA W. GRUBER, JUDGE:

[CACR11-127](#). Amber J. Westbrook v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Gladwin and Wynne, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA10-1159](#). Marsha Criner v. Donna Reddell, from Boone Circuit. Rebriefing ordered. Abramson and Martin, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR10-1032](#). Daniel E. Rhoades v. State of Arkansas, from White Circuit. Affirmed. Glover and Abramson, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CACR11-94](#). Teresa Hunter v. State of Arkansas, from Garland Circuit. Affirmed. Vaught, C.J., and Brown, J., agree.

[CA11-125](#). T.B. v. State of Arkansas, from Howard Circuit. Affirmed. Vaught, C.J., and Brown, J., agree.

WAYMOND M. BROWN, JUDGE:

[CACR11-14](#). Derek Lee Jackson v. State of Arkansas, from Pulaski Circuit, Second Division. Remanded for supplemental addendum. Vaught, C.J., and Hoofman, J., agree.

[CACR11-39](#). Marion Butler v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Vaught, C.J., and Hoofman, J., agree.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 12, 2011

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).

- E11-105. Donna J. Fisher v. Director et al.
- E11-106. Charles D. Walker v. Director et al.
- E11-107. Mike W. Hill v. Director et al.
- E11-108. Marlon J. Pope v. Director et al.
- E11-109. Ronnie R. Lewis v. Director et al.
- E11-111. Terry L. Norris v. Director et al.
- E11-112. Larry McKissick v. Director et al.
- E11-113. Ruthie M. Carr v. Director et al.
- E11-114. Cathy D. McGee v. Director et al.
- E11-115. Mary M. Melby v. Director et al.
- E11-116. Pamela D. Robinson v. Director et al.
- E11-117. Edyce Cummings v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 12, 2011

PER CURIAM ORDERS

[CACR09-345](#). Daniel Dorsey v. State of Arkansas, from Crittenden Circuit. Appellee's motion to dismiss appeal. Motion to dismiss denied; counsel substituted. *See per curiam* this date.

CACR11-181. Elmer Risner v. State of Arkansas, from Conway Circuit. Motion of Brett D. Watson for attorney's fees is granted. Allowed \$1,400.00.

CACR11-814. Quincy Jay Plessy v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to correct the record is granted. Writ issued; returnable within fifteen days.

CACR11-860. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Naif Samuel Khoury to withdraw as attorney of record on appeal (citing conflict and indigency) is granted. David Dunagin appointed to represent appellant. Appellant's brief due within thirty days.

CA10-514. Tammy McLain et al. v. City of Little Rock Planning Commission and Entergy Arkansas, Inc., from Pulaski Circuit, Sixteenth Division. Appellants' motion for costs. Costs assessed on amended mandate. Gladwin, J., not participating.

CA11-43. St. Edward Mercy Medical Center et al. v. Whitney Phipps, from Workers' Compensation Commission. Appellee's motion for attorney's fees is granted.

CA11-164. St. Edward Mercy Medical Center et al. v. Deborah Warnock, from Workers' Compensation Commission. Appellee's motion for attorney's fees is granted.

CA11-574. Arkansas Department of Human Services, Division of Developmental Disabilities Services v. Civitan Center, Inc., from Saline Circuit. Appellee's motion to supplement the record and motion for stay of briefing schedule pending decision on motion to supplement record are granted. Writ issued; returnable within ten days. Appellee's brief due within ten days thereafter.

CA11-638. Agricultural Asset Services, Inc., et al. v. Brian Scott et al., from Chicot Circuit. Appellants' motion to supplement the record, docket appeal, and for brief time is granted. Record deemed supplemented. Appellant's brief due within ten days.

CA11-663. Jimmie H. Baker v. Scherrie L. Bolin et al., from Madison Circuit. Appellees' motions to remand case to correct judgment and to stay brief time. Remanded to the trial court to settle the record within fifteen days. Appellees' brief due within fifteen days thereafter. Martin, J., not participating.

CA11-881. Wilma Bohot v. State Farm Mutual Automobile Insurance Company, from Washington Circuit. Appellant's motion to supplement record is granted. Record deemed

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 12, 2011

MOTIONS SUBMITTED

supplemented. Martin, J., not participating.

PETITIONS FOR REHEARING:

CACR11-30. Ryan McElroy v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CA10-1196. Kelsey Villines and Marlena Villines v. North Arkansas Regional Medical Center, from Boone Circuit.

CA11-168. Jerry Beaver v. Graphic Packaging and Liberty Mutual Group, from Workers' Compensation Commission.

CA11-201. Rebecca Christian-Holderfield and James Holderfield v. Arkansas Department of Human Services and Minor Children, from Carroll Circuit, Western District.

CACR08-967. Jonathan Goodman v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion for copy of transcript at public expense.

CACR11-270. William Phillips v. State of Arkansas, from Pulaski Circuit, Second Division. Motion of William O. "Bill" James, Jr. for attorney's fees.

CACR11-712. Darin D. Graham v. State of Arkansas, from Chicot Circuit. Appellant's motion to supplement the record.

CACR11-794. Courtney L. Smith v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellant's pro se petition for writ of error coram nobis.

CA11-239. Wayne Welsher, M.D. v. Mercy Health System of Northwest Arkansas, Inc., from Benton Circuit. Appellant's motion for additional brief time.

CA11-344. Partne A. Daugherty v. Jacksonville Police Department et al., from Pulaski Circuit, Fifth Division. Appellant's pro se motion to file belated brief.

CA11-344. Partne A. Daugherty v. Jacksonville Police Department et al., from Pulaski Circuit, Fifth Division. Appellant's pro se motion for oral argument.

CA11-622. Kenyata Cook v. Blytheville Housing Authority, from Mississippi Circuit, Chickasawba District. Appellant's motion to correct the record.

CA11-741. Charolette Ashley v. Estate of J.D. Ashley, Sr., Deceased et al., from Pulaski

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 12, 2011

MOTIONS SUBMITTED

Circuit, Sixteenth Division. Appellant's motion to stay appeal in CA11-741 pending outcome of case CA11-845.

CA11-759. Kathleen Wilson v. Arkansas Department of Human Services et al., from Lonoke Circuit. Appellees' motion to dismiss appeal and stay briefing schedule.

CA11-759. Kathleen Wilson v. Arkansas Department of Human Services et al., from Lonoke Circuit. Appellees' joint motion to dismiss appeal and stay briefing schedule.

CA11-780. Les Marlow et al. v. United Systems of Arkansas, Inc., et al., from Pulaski Circuit, First Division. Appellees' objection to record and addendum and motion to supplement record and addendum.

CA11-845. Charolette Ashley v. Richard H. Ashley et al., from Pulaski Circuit, Sixteenth Division. Appellant's motion to expedite appeal.

CA11-950. C.R. v. N.K. and C.K., from Mississippi Circuit, Osceola District. Appellees' motion to protect identity.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 12, 2011

SUBMISSIONS

CA10-1136. CNA Insurance Company and Milam Construction v. Arkansas Children's Hospital, from Workers' Compensation Commission. Argued orally.

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

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

CACR11-161. Sara Marie Lynn v. State of Arkansas, from Madison Circuit.

CACR11-227. Leon Jackson Rice, Jr. v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR11-304. Ray Lee Anthony v. State of Arkansas, from Craighead Circuit, Western District.

CACR11-325. Kirkland Rochelle Foster v. State of Arkansas, from Crittenden Circuit.

CACR11-386. Tyrone Allen Ellis v. State of Arkansas, from Columbia Circuit.

CACR11-392. Richard Jamal Jacobs v. State of Arkansas, from Crittenden Circuit.

CACR11-443. John Brody v. State of Arkansas, from Lonoke Circuit.

CACR11-444. Cleaborn P. Stewart v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR11-450. Shawnathon Fitch v. State of Arkansas, from Pulaski Circuit, First Division.

CA10-218. Jonnie Locke v. Continental Casualty Company et al., from Jefferson Circuit.

CA10-1053. Kevin Kachigian v. Marion County Abstract Co., Inc., from Marion Circuit.

CA11-78. Fan Timpani v. Lakeside School District, from Garland Circuit.

CA11-162. Danny Hurst and Mark David Hurst v. Southern Farm Bureau Casualty Insurance, from Washington Circuit.

CA11-179. Clifford Flowers v. Amerisourcebergen Drug Corp., from Jefferson Circuit.

CA11-205. Vickey Courier v. Marsha Woodruff, from Washington Circuit.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 12, 2011

SUBMISSIONS

CA11-260. Village Ventures Realty, Inc. v. Edward Allen Cross, from Garland Circuit.

CA11-274. Farm Bureau Mutual Insurance Company of Arkansas, Inc. v. Jim Guyer, from Mississippi Circuit, Chickasawba District.

CA11-278. Dan C. Clow and Suzanne Clow v. Vickers Construction Company, Inc., from Stone Circuit.

CA11-324. Kenyghatta Davis v. City of Blytheville, from Mississippi Circuit, Chickasawba District.

CA11-339. Luke Szabo v. Lesli Rutland Womack, from Benton Circuit.

CA11-371. Unimeks, LLC v. Purolite, from Pulaski Circuit, Second Division.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 12, 2011

SUBMISSIONS

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

E11-119. Stella Larkin v. Director et al.

E11-120. Steven William Brock II v. Director et al.

E11-121. Steven L. Wells v. Director et al.

E11-122. Cathy L. Morgan v. Director et al.

E11-123. Lamont L. Tayes v. Director et al.

E11-124. Donald L. Owens v. Director et al.

E11-126. Loretta Brown v. Director et al.

E11-127. Vera D. Beavers v. Director et al.

E11-128. Al-Fredia C. Hampton v. Director et al.

E11-129. Deborah Stokes v. Director et al.

E11-130. Latoya Brown v. Director et al.

E11-131. Razorback Concrete Company v. Director et al.