

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF DECEMBER 7, 2011

LARRY D. VAUGHT, CHIEF JUDGE:

[CA11-285](#). Brett A. Davis, Arneva K. Davis, and Mark A. Davis v. Jeremy Gillam, Carissa Gillam, Doug Gillam, Lexmin, LLC, Chesapeake Exploration, LLC, and First Community Bank, from White Circuit. Affirmed. Pittman and Gruber, JJ., agree.

[CA11-749](#). Amber Nespor v. Arkansas Department of Human Services and Minor Child, from Baxter Circuit. Affirmed. Pittman and Gruber, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA10-1307](#). Jose S. Padilla, Jr., M.D. v. Mitchell Archer, as Special Administrator of the Estate of Paul R. Archer, and Marie S. Archer, from Boone circuit. Affirmed. Vaught, C.J., and Gruber, J., agree.

[CA11-76](#). Teresa Bloodman, Administratrix of the Estate of John Thomas Eagle, Jr., deceased v. Jefferson Hospital Association, from Jefferson Circuit. Reversed and remanded. Vaught, C.J., and Gruber, J., agree.

[CA11-508](#). Edward Glover, Sr. v. Arkansas Department of Human Services, from Pulaski Circuit, Eleventh Division. Affirmed; motion to withdraw granted. Gladwin, Robbins, Wynne, and Glover, JJ., agree. Hart, J., dissents.

JOSEPHINE LINKER HART, JUDGE:

[CACR11-295](#). Barry C. Fredrickson, Jr. v. State of Arkansas, from Garland Circuit. Affirmed. Glover and Martin, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CA10-952](#). Roma Trakru v. David Mathews, from Stone Circuit. Appeal dismissed. Robbins and Hoofman, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CA11-542](#). John Pearson v. Worksource and Wausau Insurance Company, from the Arkansas Workers' Compensation Commission. Reversed and remanded. Gladwin and Hoofman, JJ., agree.

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ROBIN F. WYNNE, JUDGE:

[CA11-471](#). Clayton Coker v. Samantha Hess Coker, from Garland Circuit. Reversed and dismissed. Abramson and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CA11-243](#). Betty Bass v. R.C. Keith Bass, from Hot Spring Circuit. Affirmed as modified in part; reversed and remanded in part. Vaught, C.J., and Pittman, J., agree.

DAVID M. GLOVER, JUDGE:

[CACR11-521](#). Charles E. Pruitt, Jr. v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed. Hart and Martin, JJ., agree.

[CA11-314](#). David Pack v. Little Rock Convention & Visitors Bureau and Risk Management Resources, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Pittman, Robbins, and Abramson, JJ., agree. Hart, Martin, Hoofman, and Brown, JJ., dissent.

[CA11-473](#). Robert David Lewis v. AT&T Mobility and Metropolitan National Bank, from Pulaski Circuit, Third Division. Affirmed. Martin, J., agrees. Hart, J., concurs.

[CA11-676](#). Brandy M. Talley v. Asset Acceptance, LLC, from Yell Circuit, Northern District. Affirmed. Hart and Martin, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CACR11-603](#). Jamil Naim Ali v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed. Wynne and Brown, JJ., agree.

[CA11-514](#). David McCollister v. Pam Transport, Inc., and Sedgwick Claims Management, from the Arkansas Workers' Compensation Commission. Affirmed. Wynne and Brown, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR11-558](#). Mable Newsom v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Hart and Glover, JJ., agree.

[CACR11-635](#). Robbin M. Gowen v. State of Arkansas, from Lonoke Circuit. Affirmed. Hart and Glover, JJ., agree.

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CLIFF HOOFFMAN, JUDGE:

[CA11-805](#). Stephanie Reichard v. Arkansas Department of Human Services, from Pulaski Circuit, Eighth Division. Affirmed. Gladwin and Robbins, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CACR10-1110](#). Lee James Owens v. State of Arkansas, from Miller Circuit. Affirmed. Robbins, Wynne, Gruber, and Glover, JJ., agree. Hart, J., dissents.

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PER CURIAM ORDERS

CACR11-19. Joe McKinley Jones v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,400.00.

CACR11-24. Frank Parmley v. State of Arkansas, from Benton Circuit. Motion of Cecilia Ashcraft for attorney's fees is granted. Allowed \$1,400.00.

CACR11-245. Kendall Maurice Davis v. State of Arkansas, from Craighead Circuit, Western District. Motion of Terry Goodwin Jones for attorney's fees is granted. Allowed \$1,400.00.

CACR11-325. Kirkland Rochelle Foster v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR11-379. Larry Clayton v. State of Arkansas, from Hot Spring Circuit. Motion of Gregory Crain for attorney's fees is granted. Allowed \$1,400.00.

CACR11-392. Richard Jamal Jacobs v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,400.00.

CACR11-479. Michael L. Scales v. State of Arkansas, from Pulaski Circuit, Second Division. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,000.00.

CACR11-505. Carlton X. Russell v. State of Arkansas, from White Circuit. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,400.00.

CACR11-1069. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Mosemarie Dora Boyd to withdraw as counsel for appellant and for appointment of David Dunagin as counsel for appellant is granted. Appellant's brief due January 16, 2012.

CA11-460. S.M.C. v. State of Arkansas, from Grant Circuit. Appellant's motion to file belated brief is granted. Brief filed this date.

CA11-464. St. Edwards Mercy Medical Center et al. v. Cassandra Richards Wilson, from Workers' Compensation Commission. Appellee's motion for an award of attorney's fees is granted

CA11-690. Peter Sam Cyphers et al. v. Louis Lee Cyphers et al., from Union Circuit. Appellants' motion for additional brief time is denied.

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PER CURIAM ORDERS

CA11-840. Arkansas Elder Outreach of Little Rock, Inc. v. Anniebelle Maness, from Poinsett Circuit. Appellee's motion to consolidate CA11-840 and CA11-767 is denied.

CA11-843. Ray Baxter, P.A., et al. v. Jimmy Ray Baxter et al., from Workers' Compensation Commission. Motion of separate appellee, Jimmy Ray Baxter, to dismiss appeal is denied.

CA11-843. Ray Baxter, P.A., et al. v. Jimmy Ray Baxter et al., from Workers' Compensation Commission. Appellants' motion to file belated brief is granted. Brief filed this date.

CA11-982. Erin M. Fischer v. Damon L. Smith, from Sebastian Circuit, Fort Smith District. Motion of Rex W. Chronister to withdraw as counsel for appellee and for extension of time or to stay briefing schedule is denied without prejudice.

CA11-1080. Jason Cheney and Mika Cheney v. Arkansas Department of Human Services and Minor Children, from Sebastian Circuit, Fort Smith District. Appellants' motion to correct the record and stay the brief time. Remanded to the trial court to correct the record. Supplemental record due within thirty (30) days. Appellants' brief due within fifteen (15) days thereafter.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

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

CACR11-14. Derek Lee Jackson v. State of Arkansas, from Pulaski Circuit, Second Division. Motion of Chad M. Green for attorney's fees.

CACR11-327. Brian K. Johnson v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees.

CACR11-788. Glen Eric Nelson, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's petition for writ of certiorari to complete the record and alternative motion for extension of brief time.

CA11-197. Billy R. Hallum v. Estate of Mel Hallum, from Craighead Circuit, Western District. Appellant's pro se motion to file non-conforming brief.

CA11-628. John L. Hansen v. Wells Fargo Bank, N.A., et al., from Pulaski Circuit, Fifth Division. Appellant's motion of law and reason to set aside sale conducted contrary to Arkansas law.

CA11-1017. Peter Daniels, Jr. v. Daryl Davis, from Jefferson Circuit. Appellant's motion to file belated brief.

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SUBMISSIONS

CA11-517. David Coombs v. J.B. Hunt Transport, Inc., Rich Allensworth, and Mark Emerson, from Benton Circuit. Argued orally.

CACR10-680. Jewel Goldsberry, Jr. v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR11-83. Darren Earl Bull v. State of Arkansas, from Faulkner Circuit.

CACR11-329. Fred O. Warren v. State of Arkansas, from Crittenden Circuit.

CACR11-395. Phillip D. Wofford v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR11-575. James Edward Daniels, Jr. v. State of Arkansas, from Drew Circuit.

CA11-73. William Smith and Mindy Smith v. Lori Smith, from Cleveland Circuit.

CA11-343. Partne A. Daugherty v. Jacksonville Police Department, from Pulaski Circuit, Fifth Division.

CA11-469. Kenneth Butler et al. v. Jacqueline Williams, from Jefferson Circuit.

CA11-509. David W. Paschal v. Tressa Paschal, from Washington Circuit.

CA11-540. Morton "Skip" Conrad et al. v. City of Beebe, from White Circuit.

CA11-541. Scott Blake et al. v. Johnathan Shellstrom et al., from Stone Circuit.

CA11-560. John Holleman v. Hedger Brothers Concrete, from Workers' Compensation Commission.

CA11-586. Tim Green v. City of North Little Rock, from Pulaski Circuit, Third Division.

CA11-626. Linda Berry and Neal Berry v. Joe Walker, from Conway Circuit.

CA11-705. St. Joseph's Mercy Health Center et al. v. Jimmie Redmond, from Workers' Compensation Commission.

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CA11-710. Charles Wayne Hill v. Diana Erikson Hill, from Washington Circuit.

CA11-757. Jose Anaya v. Robert Ford, from Garland Circuit.

CA11-762. Newberry Green Forest Products et al. v. Charles McGill, from Workers' Compensation Commission.

CA11-782. Arkansas Electric Co-Op Corp. et al. v. Death & Permanent Total Disability Trust Fund, from Workers' Compensation Commission.

CA11-797. Ricky Townley v. Georgia Pacific Corporation et al., from Workers' Compensation Commission.

CA11-800. Zackery Clement v. Johnson's Warehouse Showroom, Inc., from Workers' Compensation Commission.

CA11-832. Margaret Brabon v. Arkansas Department of Human Services, from IZARD Circuit.

CA11-850. Mary Weatherspoon v. Arkansas Department of Human Services, from Pulaski Circuit, Eighth Division.

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SUBMISSIONS

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

E11-182. Frederick D. Sproling v. Director et al.

E11-184. Billy A. Fricks v. Director et al.

E11-185. Patricia A. Doty v. Director et al.

E11-186. Lester S. Smith v. Director et al.

E11-187. Marion S. Norwood v. Director et al.

E11-188. Franklin D. Addington v. Director et al.

E11-189. Lonnie B. Natt v. Director et al.

E11-190. Kenneth R. Williams v. Director et al.

E11-191. Teresa Warren v. Director et al.

E11-192. Richard Lusty v. Director et al.

E11-193. Randy Woodruff v. Director et al.

E11-194. Mary J. Dixon v. Director et al.