

ARKANSAS COURT OF APPEALS

Opinions delivered
March 4, 2009

JOHN MAUZY PITTMAN, JUDGE:

CA08-779. Ozark Health, Inc. v. Bobbie Works, from the Arkansas Workers' Compensation Commission. Affirmed on Appeal and Cross-Appeal. Hart and Brown, JJ., agree. UNPUBLISHED

CA08-904. Keith E. Irons v. Arkansas Department of Finance and Administration, from Desha Circuit, Arkansas City District. Affirmed. Gruber and Baker, JJ., agree. UNPUBLISHED

JOSEPHINE LINKER HART, JUDGE:

CACR08-939. Ricky Montgomery v. State of Arkansas, from Union Circuit. Affirmed. Glover and Henry, JJ., agree. UNPUBLISHED

CA08-830. Armand Cesena v. Steve Gray, from Pulaski Circuit, Twelfth Division. Affirmed. Glover and Henry, JJ., agree. PUBLISHED

CA08-895. Margarita Barbosa v. Curt Bean Lumber Company; Compensation Managers, from the Arkansas Workers' Compensation Commission. Affirmed. Glover and Henry, JJ., agree. UNPUBLISHED

ROBERT J. GLADWIN, JUDGE:

CA08-896. Anthony Stewart, et al. v. Copeland Holdings, LLC, from Van Buren Circuit. Affirmed. Vaught, C.J., and Kinard, J., agree. UNPUBLISHED

CA08-920. City of Jonesboro, Municipal League WC Trust, Carrier v. Tammy Morgan, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Kinard, J., agree. UNPUBLISHED

JOHN B. ROBBINS, JUDGE:

CA08-694. Reving Broussard, Patti Hamilton, Golddean Crownover, Byron Crownover and Lisa Norris v. Guy Jones, from Faulkner Circuit. Reversed and Remanded. Marshall and Brown, JJ., agree. UNPUBLISHED

CA08-888. Enterprise Products Company and ESIS v. Billy J. Leach, from the Arkansas Workers' Compensation Commission. Affirmed on Direct Appeal; Affirmed on Cross-Appeal. Marshall and Brown, JJ., agree. PUBLISHED

M. MICHAEL KINARD, JUDGE:

CA08-466. Wendy Evans, Arthur Evans and Frances Evans v. Shawn D. Deboer and SNL Distribution Services Corp., from Pulaski Circuit, Sixth Division. Appeal Dismissed. Vaught, C.J., and Gladwin, J., agree. UNPUBLISHED

RITA W. GRUBER, JUDGE:

CACR08-626. Clarence Jerome Hill v. State of Arkansas, from Jackson Circuit. Affirmed. Pittman and Baker, JJ., agree. UNPUBLISHED

DAVID M. GLOVER, JUDGE:

CACR08-966. Willie Clay Smith v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Hart and Henry, JJ., agree. UNPUBLISHED

D.P. MARSHALL JR., JUDGE:

CA08-669. Bruce Deutscher v. Aluminum Company of America and Compensation Managers, Inc., from the Arkansas Workers' Compensation Commission. Reversed and Remanded. Robbins and Brown, JJ., agree. UNPUBLISHED

COURTNEY HUDSON HENRY, JUDGE:

CACR08-1007. Glendle Wayne Barnett v. State of Arkansas, from Arkansas Circuit, Northern District. Affirmed. Hart and Glover, JJ., agree. UNPUBLISHED

CA08-800. Johnny G. Hickman v. Juanita Hickman, Jimmy Brackman and Lisa Brackman, from Lafayette Circuit. Dismissed. Hart and Glover, JJ., agree. UNPUBLISHED

CA08-833. Shannon Rooke v. Robert Spickelmier and Connie Spickelmier, from Yell Circuit, Northern District. Affirmed. Hart and Glover, JJ., agree. PUBLISHED

KAREN R. BAKER, JUDGE:

CA08-544. Donna Chamness v. Wendy's Restaurant, ITT Hartford Insurance Co., and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Gruber, JJ., agree. UNPUBLISHED

CA08-873. Rita Lowry and L & R Smoke Shop v. Glidewell Distributing Company, Inc., and Bank of the Ozarks, from Johnson Circuit. Affirmed. Pittman and Gruber, JJ., agree. UNPUBLISHED

WAYMOND M. BROWN, JUDGE:

CACR08-570. Lisa Jeanette Hasman v. State of Arkansas, from Desha Circuit, Arkansas City District. Affirmed. Robbins and Marshall, JJ., agree. UNPUBLISHED

CA08-801. Nadine Wilson d/b/a Sunstone Judgment Recovery v. Lawrence Vaughn d/b/a Vaughn's Truck & Equipment Repair, from Yell Circuit, Northern District. Affirmed. Robbins and Marshall, JJ., agree. UNPUBLISHED

CA08-1008. Eurana Jones-Lee v. Arkansas Department of Human Services, from Pulaski Circuit, Tenth Division. Affirmed. Vaught, C.J., Pittman, Gruber, and Henry, JJ., agree. Hart, Gladwin, Robbins, and Baker, JJ., dissent. PUBLISHED

PER CURIAM ORDERS

CACR08-530. Ian Hunter Doyle v. State of Arkansas, from Jackson Circuit. Motion of C. Scott Nance for attorney's fees is granted. Allowed \$1,400.00.

CACR08-563. Tyrone Simmons v. State of Arkansas, from Jefferson Circuit. Motion of Paul M. Gehring for attorney's fees and costs is granted. Allowed \$1,400.00.

CACR08-722. Jeremy Long v. State of Arkansas, from Sebastian Circuit, Greenwood District. Motion of Charles E. Smith for attorney's fees is granted. Allowed \$1,400.00.

CACR08-782. Detriawn R.Wade v. State of Arkansas, from Crittenden Circuit. Appellant's pro se motion to amend exhibits and to submit other exhibits is denied.

CACR08-1439. Phillip Gray v. State of Arkansas, from Ashley Circuit. Appellant's motions to file belated brief are granted. Appellant's brief due March 19, 2009.

CA08-466. Wendy Evans et al. v. Shawn D. Deboer et al., from Pulaski Circuit, Sixth Division. Resubmission of appellees' motion to dismiss is granted. See opinion this date.

CA08-655. Stepping Stone School et al. v. Lisa G. Ferrari et al., from Workers' Compensation Commission. Appellee Lisa Ferrarri's motion for award of attorney's fees is granted.

CA08-679. Forrest F. Gillespie v. Sabrena R. Gillespie, from Mississippi Circuit, Chickasawba District. Resubmission of appellee's motion to impose costs is granted.

CA08-679. Forrest F. Gillespie v. Sabrena R. Gillespie, from Mississippi Circuit, Chickasawba District. Appellee's motion for award of attorney's fees is denied.

CA08-1060. Christina Ratliff and Robert Ratliff v. Arkansas Department of Human Services et al., from Searcy Circuit. Appellees' joint motion to publish opinion is granted.

CA08-1383. PH, LLC v. City of Conway, Arkansas, from Faulkner Circuit. Appellant's motion to correct or complete the record and for extension of brief time is granted. Record due within fifteen days. Brief due within fifteen days thereafter.

MOTIONS SUBMITTED

PETTTIONS FOR REHEARING:

CACR08-399. Judy Cozart v. State of Arkansas, from Craighead Circuit, Western District.

CA08-948. Antoinette Zamora v. Arkansas Department of Human Services, from Baxter Circuit.

CACR08-350. Montgomery Dwight Heathman v. State of Arkansas, from Madison Circuit. Appellant's motion to file belated brief.

CACR08-749. Juan Castillo v. State of Arkansas, from Hot Spring Circuit. Motion of Gregory Crain for attorney's fees.

CACR08-1104. Antonio Deshun Sartin v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's pro se motion for extension of time to file supplement to appellant's brief.

CACR08-1251. Luis Camacho-Mendoza et al. v. State of Arkansas, from Crawford Circuit. Appellant's motion for leave to rebrief.

CACR08-1344. Shelton Wormley v. State of Arkansas, from Drew Circuit. Appellant's pro se motion for appeal bond.

CACR08-1344. Shelton Wormley v. State of Arkansas, from Drew Circuit. Appellant's pro se motion to relieve counsel.

CACR08-1344. Shelton Wormley v. State of Arkansas, from Drew Circuit. Appellant's pro se motion for appointment of counsel and for brief time.

CACR08-1344. Shelton Wormley v. State of Arkansas, from Drew Circuit. Motion of the Warren Law Firm to be relieved as counsel for appellant.

CACR08-1344. Shelton Wormley v. State of Arkansas, from Drew Circuit. Appellant's motion for extension of brief time.

CACR09-56. Nicholas Gibbs v. State of Arkansas, from Crittenden Circuit. Motion of Richard West to be relieved as counsel, for appointment of substitute counsel and to reschedule briefing.

CA08-486. James Kevin Rudder v. Katharine Lillie Hurst, from Garland Circuit. Appellant's motion to amend brief.

CA08-863. Jim Bolt v. Deutsche Bank, from Benton Circuit. Appellee's motion to dismiss appeal.

CA08-945. Shelba McKinney and William McKinney v. Arkansas Cardiology, P.A. et al., from Pulaski Circuit, Third Division. Appellees' motion for rebriefing and to stay briefing schedule.

CA08-1109. Sharon Sue Lybrand v. Joseph Dewayne Lybrand, from Grant Circuit. Appellee's motion to dismiss appeal.

CA08-1352. David Stills v. Amber Stills, from Washington Circuit. Appellee's motion for Curtis E. Hogue to withdraw as counsel.

CA09-2. Ricky Allen Williams et al. v. Homer Davis, As Executor of the Estate of Ethel Ilean Davis, Deceased et al., from Grant Circuit. Appellant's motion to supplement the record and to stay briefing schedule.

CA09-47. Mike Killough and Betty Killough v. Audrey Farmer and John Rogers, from Johnson Circuit. Appellants' motion to dismiss "motion and brief for sanctions."

CA09-70. R & G Masonry Contractors, Inc. v. Safeco Insurance Company of America, from Craighead Circuit, Western District. Appellant's motion to supplement the record.

CA09-111. Pamela D. Evans v. Jimmy Evans, from Lonoke Circuit. Appellant's motion for writ of certiorari to complete the record and to stay briefing schedule.

SUBMISSIONS

CA08-543. Landmark Novelties, Inc. v. Arkansas State Board of Pharmacy, from Pulaski Circuit, Second Division. Argued orally.

CA08-601. CEI Engineering Associates, Inc. v. Elder Construction Company, from Washington Circuit. Argued orally.

CACR08-812. David Basham v. State of Arkansas, from Craighead Circuit, Western District.

CACR08-831. Wendell Champlin v. State of Arkansas, from Grant Circuit.

CACR08-853. Lawrence Anderson III v. State of Arkansas, from Craighead Circuit, Western District.

CACR08-969. Wilbert Johnson v. State of Arkansas, from Pulaski Circuit, Seventh Division.

- CACR08-1024. Nicholas Andre Munn v. State of Arkansas, from Crittenden Circuit.
- CACR08-1061. Diana Michelle Carter v. State of Arkansas, from Ouachita Circuit.
- CA08-556. James G. Grant v. Betty Richardson, from Poinsett Circuit.
- CA08-805. Peter Kofler v. Lana Beth Kofler, from Benton Circuit.
- CA08-836. Joseph Powell v. Producers Rice Mill, from Workers' Compensation Commission.
- CA08-848. Wesley Jackson v. Susan Jackson, from Logan Circuit, Southern District.
- CA08-871. Larry Johnson v. Alcohol Beverage Control Division, from Pulaski Circuit, Fifth Division.
- CA08-876. St. Edward's Mercy v. Cassandra Richards Wilson, from Workers' Compensation Commission.
- CA08-906. Betty Gerrald Barnett v. Douglas Tobacco, from Workers' Compensation Commission.
- CA08-947. Dana Yancey v. Arkansas Department of Human Services, from Pulaski Circuit, Eighth Division.
- CA08-954. Stephen Isely and Sharon Isely v. Annie Brockman Odom and Clifton Gilbreath, from Conway Circuit.
- CA08-1050. Krissy Thompson v. Sparks Regional Medical Center, from Sebastian Circuit, Fort Smith District.
- CA08-1065. Jeffrey Glover v. Wackenhut Corporation, from Workers' Compensation Commission.
- CA08-1069. Dyeann Larry v. Red Carpet Employment Agency, from Workers' Compensation Commission.
- CA08-1131. Claudia Prows v. Arkansas Department of Human Services, from Searcy Circuit.
- CA08-1152. James W. Goyne v. Crabtree Contracting Co., Inc. et al., from Workers' Compensation Commission.
- CA08-1206. Office of Child Support Enforcement v. Loren E. Dickens, from Scott Circuit.
- CA08-1381. Brittney Schoenig v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.