

# ARKANSAS COURT OF APPEALS

Proceedings of  
August 26, 2009

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## PER CURIAM ORDERS

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

CA08-870. John Adams and Marie Adams v. Bill Moody, from Baxter Circuit.

CA08-1006. Kenneth R. White v. Erika L. White, from Jefferson Circuit.

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CACR07-467. Mack L. Eason v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,200.00.

CACR08-225. Wendell Lee Rogers v. State of Arkansas, from Union Circuit. Motion of Brett D. Watson to withdraw as counsel for appellant is granted.

CACR08-225. Wendell Lee Rogers v. State of Arkansas, from Union Circuit. Motion of Brett D. Watson for attorney's fees is granted. Allowed \$1,400.00.

CACR08-402. Jermal Dotson v. State of Arkansas, from Hempstead Circuit. Motion of Anthony S. Biddle for attorney's fees is granted. Allowed \$1,200.00.

CACR08-1285. Connie Watkins v. State of Arkansas, from Greene Circuit. Appellant's pro se motion for oral argument is denied. Marshall, J., would grant.

CACR08-1513. Anthony Collins v. State of Arkansas, from Jefferson Circuit. Motion of Odette B. Woods for attorney's fees is granted. Allowed \$1,400.00.

CACR09-152. Ronney Wayne Cain v. State of Arkansas, from Washington Circuit. Appellee's motion to dismiss appeal is denied.

CACR09-152. Ronney Wayne Cain v. State of Arkansas, from Washington Circuit. Appellant's motion to file belated brief is granted.

CACR09-212. Trozzie Lavelle Turner v. State of Arkansas, from Columbia Circuit. Appellant's motion to file belated brief is granted.

CACR09-341. Jesus Tapia v. State of Arkansas, from Sevier Circuit. Appellant's motion to amend notice of appeal is

denied. Final order brings up all interim orders on appeal. Appellant's brief due within thirty days.

CACR09-346. William Rockward v. State of Arkansas, from Saline Circuit. Appellant's motion for extension of brief time is granted. Final extension.

CACR09-368. Paul Douglas Gill v. State of Arkansas, from Union Circuit. Appellant's motion to correct the record or, in the alternative, to extend time to file brief is remanded to the trial court to settle and correct the record within thirty days. Brief due thirty days thereafter.

CACR09-441. Randy Paul Brown v. State of Arkansas, from Saline Circuit. Appellant's motion to supplement the record and for brief time is granted. Supplemental record due within thirty days. Brief due within thirty days thereafter.

CACR09-516. Virgil Dennis Pogue v. State of Arkansas, from Sevier Circuit. Appellant's motion to be declared indigent and for appointment of counsel on appeal is granted. James Clouette is appointed to represent appellant. Marshall, J., not participating.

CACR09-549. Kelton Esquire Bond v. State of Arkansas, from Benton Circuit. Appellee's motion to dismiss appeal is denied. Appellant's brief due within thirty days.

CACR09-562. Ho Van Nguyen v. State of Arkansas, from Benton Circuit. Appellant's motion to file belated brief is granted.

CACR09-570. Phillip Anderson and Mark A. Stephens v. State of Arkansas, from Hot Spring Circuit. Appellee's motion for stay of brief time is granted.

CACR09-589. Richard Lea Colvin v. State of Arkansas, from Faulkner Circuit. Appellant's pro se motion for appeal bond is denied.

CACR09-721. Ellis Trice v. State of Arkansas, from Crawford Circuit. Appellant's pro se motions to dismiss are denied.

CACR09-733. Harold Miller v. State of Arkansas, from Pulaski Circuit, Seventh Division. Supplemental motion of Justin B. Hurst to withdraw as counsel and for appointment as appellate counsel is denied without prejudice.

CACR09-820. Robert Cayton v. State of Arkansas, from Crittenden Circuit. Motion of Richard West to be relieved and for substitute counsel is granted. Brett Watson is appointed to represent the appellant. Appellant's brief due October 5, 2009.

CACR09-822. Anthony Sanders v. State of Arkansas, from Crittenden Circuit. Motion of Richard West to be relieved and for appointment of substitute counsel is granted. Brian K. Woodruff is appointed to represent the appellant. Appellant's brief due October 5, 2009.

CACR09-865. Lyndall Anthony Golden v. State of Arkansas, from Drew Circuit. Motion of Daren J. Nelson for substitution of appellate counsel is granted. Joseph Mazzanti is appointed to represent appellant. Appellant's brief due October 5, 2009.

CA09-84. D. A. S. v. State of Arkansas, from Crittenden Circuit. Appellant's motion for extension of brief time is granted. Final extension.

CA09-133. Top Dog Masonry et al. v. Danny Sigmon, from Workers' Compensation Commission. Appellants' motion to remand is granted.

CA09-174. R. W. v. State of Arkansas, from Crittenden Circuit. Appellant's motion for expedited consideration of appeal is denied.

CA09-231. Kristin N. Kuelbs, Donald C. Hill and Edwardena C. Hill v. Kimberly Hill, from Garland Circuit. Appellant Kristin N. Kuelbs' motion for appointment of "next friend" and for order requiring Kimberly Hill to grant plaintiffs'

legal counsel and attorney-in-fact access to Kristin Kuelbs is denied.

CA09-293. Charles Koster v. Custom Pak et al., from Workers' Compensation Commission. Appellees' motion to file belated brief is granted.

CA09-377. Larry Coatney v. Natalie Karen Coatney, from Carroll Circuit, Eastern District. Appellant's motion to file belated brief is granted.

CA09-449. Jackie R. Shaver v. Land O' Frost, from Workers' Compensation Commission. Appellant's motion for extension of brief time is granted. Final extension.

CA09-452. Don Gray v. Bob Moreland and Moreland Aviation Enterprises, Inc., from Franklin Circuit, Northern District. Appellee Bob Moreland's notices of bankruptcy filing. Case stayed. Status report due in 90 days.

CA09-456. Household Recovery Service Center v. Cassandra Vega, from Sebastian Circuit, Fort Smith District. Appellee's motion to file belated brief is granted.

CA09-477. S. Kelleen DesLauriers v. Richard Gautney, from Lonoke Circuit. Appellant's petition for writ of certiorari to complete the record and to stay briefing schedule. Remanded to the trial court to settle the record within thirty days. Brief due thirty days thereafter.

CA09-547. Raymond Friend v. Alice G. Friend, from Polk Circuit. Appellee's motion to dismiss appeal is granted.

CA09-571. Carlos Parrish and Sophia Parris v. Arkansas Department of Human Services, from Miller Circuit. Motion of Clay S. Conrad to be substituted as counsel and to appear pro hac vice is granted.

CA09-572. Richard Ondrisek and Debra Ondrisek v. Arkansas Department of Human Services, from Miller Circuit. Motion of Arkansas Public Defender Commission to substitute Clay Conrad as counsel for appellant and to stay brief time is granted.

CA09-572. Richard Ondrisek and Debra Ondrisek v. Arkansas Department of Human Services, from Miller Circuit. Motion of Clay S. Conrad to be substituted as counsel and to appear pro hac vice is granted.

CA09-575. Rube K. "Kenny" Anschultz and Susan Anschultz v. NP FLM, L.L.C., from Pulaski Circuit, Fifth Division. Appellee's motion to reconsider motion granting appellants' motion to withdraw appeal is denied. Glover, J., not participating.

CA09-579. Albert Krantz and Miriam Krantz v. Arkansas Department of Human Services, from Miller Circuit. Motion of Clay S. Conrad to be substituted as counsel and to appear pro hac vice is granted.

CA09-580. Brian Broderick v. Arkansas Department of Human Services, from Miller Circuit. Motion of Clay S. Conrad to be substituted as counsel and to appear pro hac vice is granted.

CA09-580. Brian Broderick v. Arkansas Department of Human Services, from Miller Circuit. Motion of Arkansas Public Defender Commission to substitute Clay Conrad as counsel for appellant and to stay brief time is granted.

CA09-581. Alfonzo Reid, Sr. v. Arkansas Department of Human Services, from Miller Circuit. Motion of Clay S. Conrad to be substituted as counsel and to appear pro hac vice is granted.

CA09-581. Alfonzo Reid, Sr. v. Arkansas Department of Human Services, from Miller Circuit. Motion of Arkansas Public Defender Commission to substitute Clay Conrad as counsel for appellant and to stay brief time is granted.

CA09-584. Greg Seago v. Arkansas Department of Human Services, from Miller Circuit. Motion of Clay S. Conrad to be substituted as counsel and to appear pro hac vice is granted.

CA09-584. Greg Seago v. Arkansas Department of Human Services, from Miller Circuit. Motion of Arkansas Public

Defender Commission to substitute Clay Conrad as counsel for appellant and to stay brief time is granted.

CA09-599. Kim Crockett v. C. A. G. Investments, Inc., from Crittenden Circuit. Appellant's combined motion to stay briefing schedule and petition for writ of certiorari to complete the record is denied. Plaintiff's Response to Defendant's Motion for Fees is in the record. Parties to file stipulated copy of Defendant's Amended Motion for Sanctions by September 9, 2009. Appellant's brief due September 23, 2009.

CA09-630. Ronnie Lee Easley v. Robin E. Easley, from Grant Circuit. Motion of Dennis James to withdraw as counsel for appellee and to substitute Jeff Wankum as counsel is granted.

CA09-770. Frances Morris Finley v. Karen Hunter, from Pulaski Circuit, Seventeenth Division. Appellant's motion to amend and correct the record is granted.

**The following case is dismissed for failure to file briefs pursuant to Arkansas Supreme Court Rule 4-5.**

CA09-357. Raymond Vaughn v. Jonell Driggers, from Pike Circuit.

**MOTIONS SUBMITTED**

CACR07-467. Mack L. Eason v. State of Arkansas, from Crittenden Circuit. Appellant's pro se motion for recall of mandate.

CACR08-1385. Edward Lee Carter v. State of Arkansas, from Garland Circuit. Appellant's pro se motion to file pro se amendment to brief filed by appellate attorney.

CACR08-1442. William Ford v. State of Arkansas, from Pope Circuit. Motion of James Dunham for attorney's fees.

CACR09-9. Leroy Stevenson v. State of Arkansas, from Craighead Circuit, Western District. Appellee's motion to supplement the record and for brief time.

CACR09-395. Sherman Watson v. State of Arkansas, from Hot Spring Circuit. Appellant's pro se motions to file a supplemental brief.

CACR09-839. Calvin Brown v. State of Arkansas, from Cross Circuit. Motion of Ray Waters to be relieved and to substitute Terry Goodwin Jones as counsel for appellant.

CA09-309. A. C. Frein et al. v. Windsor Weeping Mary, LP, from Lee Circuit. Appellants' motion for oral argument.

CA09-440. Pine Bluff Hauling/WasteManagement et al. v. Rickey Strong, from Workers' Compensation Commission. Joint motion for extension of stay of proceedings for the parties to participate in the Voluntary Appellate Mediation Pilot Program.

CA09-453. Kristi Lindsey and Susan Ellis v. Law Offices of Gary Green, P.A. et al., from Pulaski Circuit, Second Division. Appellees' motion to order rebriefing.

CA09-715. Fidencio Mendez v. Carmen Aguilar, from Yell Circuit, Southern District. Motion of Dana Dean Watson to withdraw as counsel for appellee.

CA09-756. Jeffrey Barrows v. City of Fort Smith, Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to file enlarged brief.

CA09-810. Deltic Timber Corporation et al. v. Kathy Sue Newland et al., from Conway Circuit. Appellees' motion to dismiss appeal.

## SUBMISSIONS

CA08-1256. Donna Hanna v. Burt Hanna, from Washington Circuit. Argued orally.

CACR08-737. Rodney Scott Reese v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR08-905. Charles T. Bagley v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR08-1221. Ymari Boyce Reid v. State of Arkansas, from Jefferson Circuit.

CACR08-1342. Keith Webster v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR08-1388. Jonathan Laprese Stevenson v. State of Arkansas, from Mississippi Circuit, Osceola District.

CACR08-1403. Sharon Arrigo v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR08-1415. Derek Mullins v. State of Arkansas, from Grant Circuit.

CACR08-1439. Phillip Gray v. State of Arkansas, from Ashley Circuit.

CACR08-1515. Dustin Ray Davis v. State of Arkansas, from Crawford Circuit.

CACR09-25. Nichols Levell Hawkins v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR09-139. Anne Throneberry v. State of Arkansas, from Van Buren Circuit.

CACR09-170. Rhatez Demore Furlow v. State of Arkansas, from Crittenden Circuit.

CA08-1326. Douglas Ray Jones v. Jennifer Jones, from Faulkner Circuit.

CA08-1366. Wilmer Paul Orr v. Cleo M. Orr, from Grant Circuit.

CA08-1456. E. Stanton Maxey v. David Kossover, from Washington Circuit.

CA08-1498. R. F. R. v. State of Arkansas, from Lawrence Circuit.

CA08-1514. Kerry Glenn Nordin v. Connie Lynn Nordin, from Johnson Circuit.

CA09-118. Raymond Ellis v. State Farm, F.S.B., from Faulkner Circuit.

CA09-127. Twin Springs Group, Inc. v. Karibuni, Ltd and Gary Mellow, from Washington Circuit.

CA09-128. Joan L. Howard v. Sidney Gail Howard, from Scott Circuit.

CA09-232. Richard Collier v. Arkansas Department of Human Services, from Garland Circuit.

CA09-233. Maria Vasquez v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.

CA09-278. George Byers v. Arkansas Department of Human Services, from Washington Circuit.

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

E09-45. Jerry J. Howard v. Director et al.

E09-46. Matthew Sigarst v. Director et al.

E09-47. Carol P. Kelley v. Director et al.

E09-48. Nina F. Webb v. Director et al.

E09-49. Jerry Webb v. Director et al.

E09-50. Joe Williams v. Director et al.

E09-51. Sandra S. Quinn v. Director et al.

E09-52. James R. Reck v. Director et al.

E09-53. Scottie L. Wilson v. Director et al.

E09-54. Patrick E. Scott v. Director et al.

E09-55. Ronda A. Smith v. Director et al.

E09-56. Lillian I. Clement v. Director et al.