

ARKANSAS COURT OF APPEALS

Opinions delivered
September 2, 2009

LARRY D. VAUGHT, CHIEF JUDGE:

CA08-1260. Norma Ferguson v. Larry James Ferguson, Executor of the Estate of L.J. Ferguson, from Hempstead Circuit. Affirmed on Direct Appeal and Cross-Appeal. Pittman and Gladwin, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CACR08-1040. Christopher Todd Hamilton v. State of Arkansas, from Ouachita Circuit. Affirmed. Vaught, C.J., and Gladwin, J., agree.

JOSEPHINE LINKER HART, JUDGE:

CACR08-1001. Clarence E. Williams v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Glover and Marshall, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

CA09-43. Cooper Standard Automotive, Inc., and St. Paul Travelers Insurance Co. v. Melanie Kelley, from the Arkansas Workers' Compensation Commission. Affirmed. Henry and Baker, JJ., agree.

JOHN B. ROBBINS, JUDGE:

CA08-1445. Linda Burdick v. Little Switzerland Realty, Inc., Butch Atkinson, and Nancy Atkinson, from Pulaski Circuit, First Division. Affirmed. Gruber and Brown, JJ., agree.

M. MICHAEL KINARD, JUDGE:

CACR08-1413. James O. Williams v. State of Arkansas, from Saline Circuit. Affirmed. Henry and Baker, JJ., agree.

RITA W. GRUBER, JUDGE:

CA09-197. Lorlie Finley v. Perennial Healthcare Commerce & Industry Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Robbins and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

CA09-65. Lisa M. Young v. Carey G. Young, from Pulaski Circuit, Ninth Division. Dismissed. Hart and Marshall, JJ., agree.

D. P. MARSHALL JR., JUDGE:

CACR09-143. Joshua Swaim v. State of Arkansas, from Faulkner Circuit. Affirmed. Hart and Glover, JJ., agree.

CA08-1458. Brenda Wonder and Ronnie Wonder v. Nancy McCleese, from Union Circuit. Rebriefing ordered. Hart and Glover, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

CACR08-1215. Carlos Andrew Keck v. State of Arkansas, from Saline Circuit. Affirmed. Kinard and Baker, JJ., agree.

KAREN R. BAKER, JUDGE:

CACR08-1313. Ernest Dean Wade v. State of Arkansas, from Washington Circuit. Affirmed. Kinard and Henry, JJ., agree.

WAYMOND M. BROWN, JUDGE:

CA08-1302. Terry Witt v. Allen & Son, Inc., Firstcomp Insurance Co., and Death & Permanent Total Disability Fund, from the Arkansas Workers' Compensation Commission. Reversed and Remanded. Robbins and Gruber, JJ., agree.

PER CURIAM OPINION:

CA08-1414. Swift Transportation Company v. Joseph Turner, from Drew Circuit. Dismissed.

PER CURIAM ORDERS

REHEARING DENIED: Petition for Rehearing was denied today in the following case.

CACR08-666. Leland Allen Radford v. State of Arkansas, from Crawford Circuit. See supplemental opinion on denial of rehearing.

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

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 is denied.

CACR08-1442. William Ford v. State of Arkansas, from Pope Circuit. Motion of James Dunham for attorney's fees is granted. Allowed \$1,400.00.

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

CACR09-175. Mitchell Scott Johnson v. State of Arkansas, from Benton Circuit. Appellant's pro se motion to bar Attorney General is denied. Marshall, J., not participating.

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

CACR09-730. Ruth Ann Lagoy v. State of Arkansas, from Stone Circuit. Appellant's pro se motion for appointment of counsel is granted. Jonathan T. Lane is appointed to represent appellant. Appellant's brief due October 13, 2009. Hart,

J., not participating.

CACR09-818. Daryl Blockman v. State of Arkansas, from Crittenden Circuit. Motion of Richard West to be relieved and for substitute counsel is granted. Misty Borkowski is appointed to represent appellant. Appellant's brief due October 13, 2009.

CACR09-819. Derryl Seay v. State of Arkansas, from Crittenden Circuit. Motion of Richard West to be relieved and for substitute counsel is granted. Rosalyn Watts is appointed to represent appellant. Appellant's brief due October 13, 2009.

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 is granted. Appellant's brief due October 13, 2009.

CACR09-848. Tracy Lee Ingle v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion of John Wesley Hall, Jr. to be relieved as counsel for appellant is granted. David Bowden appointed to represent appellant. Appellant's brief due October 13, 2009.

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

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 is granted.

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 is denied.

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

CA09-756. Jeffrey Barrows v. City of Fort Smith, Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to file enlarged brief is granted. Gladwin and Baker, JJ., would deny.

CA09-810. Deltic Timber Corporation et al. v. Kathy Sue Newland et al., from Conway Circuit. Appellees' motion to dismiss appeal is denied. Baker, J., not participating.

E09-80. Elinda J. Stribling v. Director et al., from Board of Review. Appellant's petition for writ of certiorari to complete the record and correct the record is denied.

MOTIONS SUBMITTED

CACR09-798. Jonathan Graydon v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane to relieve John David Myers and be substituted as appointed counsel for appellant.

CACR09-868. Kenneth Joe Barrow v. State of Arkansas, from Faulkner Circuit. Motion of David Hogue to withdraw as counsel for appellant.

CACR09-868. Kenneth Joe Barrow v. State of Arkansas, from Faulkner Circuit. Motion of Teresa Bloodman to be substituted as counsel for appellant.

CACR09-893. David Eugene Lewis v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Dennis R. Molock to withdraw, for appointment of appellate counsel and for stay of brief time.

CACR09-949. Aaron Eli Ault v. State of Arkansas, from Faulkner Circuit. Motion of Boyd Tackett, Jr. to be relieved as counsel for appellant and for appointment of substitute counsel.

CA09-469. Linda Jo Robinson v. Walter Whit Barton et al., from Drew Circuit. Appellant's pro se motion to file nonconforming brief.

CA09-544. Deanna Wilson Mainerich v. Mark Wilson, from Union Circuit. Appellant's motion to seal the record.

CA09-565. Juliane Kinard Mathews v. Joseph G. Schumacher, from Union Circuit. Appellant's motion to expand the record.

CA09-638. Ronald Tadlock v. Arkansas Department of Human Services, from Garland Circuit. Appellant's motion to consolidate CA09-638 and CA09-814.

CA09-676. Patsy Adele Long v. Fredye Long Alford et al., from Pulaski Circuit, Sixteenth Division. Appellees' motion to dismiss appeal and for brief time.

CA09-712. Raymond Vaughn v. Patricia Bates, from Pike Circuit. Appellant's motion to file belated brief.

CA09-725. Charissa Blackerby v. Arkansas Department of Human Services, from Benton Circuit. Appellee's motion to supplement the record

CA09-771. River Valley Homes, Inc. v. Freeland-Kauffman & Fredeen, Inc. et al., from Benton Circuit. Appellant's motion to remand and to stay brief time.

CA09-912. Marc Heflin and Billie Heflin v. Phil Brackelsburg and Crystal Brackelsburg, from Pulaski Circuit, Thirteenth Division. Appellants' motion to correct the record and for brief time.

SUBMISSIONS

CA08-1078. Cecile S. Taylor v. Claudia C. Taylor, from Union Circuit. Argued orally.

CA08-1073. Carlos Honeysuckle v. Curtis H. Stout, Inc., from Workers' Compensation Commission. Argued orally.

CACR08-1251. Luis Camacho-Mendoza, Conrado Giovany Cordona-Duarte, and Angel Yonis Romero v. State of Arkansas, from Crawford Circuit.

CACR08-1319. Victor Rasmussen v. State of Arkansas, from Garland Circuit.

CACR08-1407. Melvin Lee Lockhart, III v. State of Arkansas, from Pulaski Circuit, Second Division.

CACR08-1503. Robert Antonio King v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR08-1517. Ricky Lemond Lasker v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR09-62. Naeem Hassan Rasul v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR09-69. Thomas Holloway v. State of Arkansas, from Crittenden Circuit.

CACR09-155. Robert Green, Jr. v. State of Arkansas, from Desha Circuit, Arkansas City District.

CACR09-160. Pedro Espinoza and Juan Pablo Espinoza v. State of Arkansas, from Pope Circuit.

CACR09-194. Aaron Marcus Stigger v. State of Arkansas, from Cleveland Circuit.

CACR09-220. Keith F. White v. State of Arkansas, from Union Circuit.

CACR09-298. Gary J. Mason v. State of Arkansas, from Scott Circuit.

CA08-922. Daniel Hearne and Debora Hearne v. Diane Banks, from Sebastian Circuit, Fort Smith District.

CA08-1111. Richard Roeben v. BG Excelsior Limited Partnership et al., from Pulaski Circuit, Third Division.

CA08-1136. Whit Waller v. Mala Waller, from Pulaski Circuit, Seventeenth Division.

CA08-1507. Travis Whitehead v. Chasidy Whitehead, from Ashley Circuit.

CA09-49. Clayron Rasberry v. Anessa Rasberry, from Jefferson Circuit.

CA09-55. Lisa Pounders v. Mike Reif, from Pulaski Circuit, Second Division.

CA09-100. John C. Rima v. M & S Framers, from Workers' Compensation Commission.

CA09-126. Lisa M. Hubanks v. William D. Baughman, from Jefferson Circuit.

CA09-305. Misty Renee Carroll v. UV Properties, LLC et al., from Sebastian Circuit, Fort Smith District.

CA09-310. Robert Friend v. Arkansas Department of Human Services, from Garland Circuit.