

# ARKANSAS COURT OF APPEALS

Opinions delivered  
September 9, 2009

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LARRY D. VAUGHT, CHIEF JUDGE:

CACR09-25. Nicholas Levell Hawkins v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Pittman and Gladwin, JJ., agree.

CA09-232. Richard Collier v. Arkansas Department of Human Services, from Garland Circuit. Affirmed. Pittman and Gladwin, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CACR08-905. Charles T. Bagley v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Vaught, C.J., and Gladwin, J., agree.

JOSEPHINE LINKER HART, JUDGE:

CA08-1514. Kerry Glen Nordin v. Connie Lynn Nordin, from Johnson Circuit. Affirmed. Glover and Marshall, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

CACR08-1403. Sharon Arrigo v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Vaught, C.J., and Pittman, J., agree.

CA09-118. Raymond Ellis, Executor of the Estate of Mildred Freeman, Deceased v. State Farm Bank, F.S.B. a/k/a State Farm Financial Service F.S.B. and D. Denise Griffen, Attorney in Fact, from Faulkner Circuit. Reversed and Remanded. Vaught, C.J., and Pittman, J., agree.

JOHN B. ROBBINS, JUDGE:

CACR08-1415. Derek Mullins v. State of Arkansas, from Grant Circuit. Affirmed. Gruber and Brown, JJ., agree.

CA08-1326. Douglas Ray Jones v. Jennifer Jones, from Faulkner Circuit. Reversed and Remanded. Gruber and Brown, JJ., agree.

M. MICHAEL KINARD, JUDGE:

CACR08-1439. Phillip Gray v. State of Arkansas, from Ashley Circuit. Affirmed. Henry and Baker, JJ., agree.

RITA W. GRUBER, JUDGE:

CACR08-1515. Dustin Ray Davis v. State of Arkansas, from Crawford Circuit. Affirmed. Robbins and Brown, JJ., agree.

CA08-1256. Donna Hanna, as Next Friend of Brooke Gabrielle Hanna and Jake Mason Hanna v. Burt Hanna, Individually and as Trustee of the Brooke Gabrielle Hanna Trust and the Jake Mason Hanna Trust, from Washington

Circuit. Affirmed. Robbins and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

CA09-233. Maria Torres Vasquez v. Arkansas Department of Human Services and Minor Children, from Sebastian Circuit, Fort Smith District. Affirmed; Motion to Withdraw Granted. Hart and Marshall, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

CACR08-1221. Ymari Boyce-Reid v. State of Arkansas, from Jefferson Circuit. Affirmed. Kinard and Baker, JJ., agree.

CA08-486. James Kevin Rudder v. Katharine Lillie Hurst, from Garland Circuit. Affirmed. Kinard and Baker, JJ., agree.

CA08-1366. Wilmer Paul Orr and Barbara Orr; Edward Lee Mullens and Edith Joy Mullens; and David Helm and Joan Helm v. Cleo M. Orr, from Grant Circuit. Affirmed. Kinard and Baker, JJ., agree.

KAREN R. BAKER, JUDGE:

CACR08-1342. Keith Webster v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Kinard and Henry, JJ., agree.

CA08-656. Gary Painter and Norman Painter v. Bethany Kerr, from Benton Circuit. Affirmed. Kinard and Henry, JJ., agree.

CA09-278. George Byers v. Arkansas Department of Human Services, from Washington Circuit. Affirmed. Kinard and Henry, JJ., agree.

WAYMOND M. BROWN, JUDGE:

CACR08-1388. Jonathan Laprese Stevenson v. State of Arkansas, from Mississippi Circuit, Osceola District. Affirmed. Robbins and Gruber, JJ., agree.

CA08-1498. R.F.R. v. State of Arkansas, from Lawrence Circuit. Affirmed. Robbins and Gruber, JJ., agree.

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(b).**

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.

### **PER CURIAM ORDERS**

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 is granted. Brief filed this date.

CACR09-868. Kenneth Joe Barrow v. State of Arkansas, from Faulkner Circuit. Motion of David Hogue to withdraw as counsel for appellant and for Teresa Bloodman to be substituted as counsel for appellant is remanded to the trial court for a hearing and findings of fact within thirty days. See Brewer v. State, 66 Ark. App 324, 992 S.W. 2d 140 (1999).

CA09-469. Linda Jo Robinson v. Walter Whit Barton et al., from Drew Circuit. Appellant's pro se motion to file nonconforming brief is denied. Appellant's conforming brief due within thirty days.

CA09-544. Deanna Wilson Mainerich v. Mark Wilson, from Union Circuit. Appellant's motion to seal the record is granted. Vaught, C.J., not participating.

CA09-565. Juliane Kinard Mathews v. Joseph G. Schumacher, from Union Circuit. Appellant's motion to expand the record is denied. Motion for court to take judicial notice is passed until case is submitted. Kinard, J., not participating.

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

CA09-676. Patsy Adele Long v. Fredye Long Alford et al., from Pulaski Circuit, Sixteenth Division. Appellee's motion to dismiss appeal is denied. Appellee's brief due within thirty days.

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

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

CA09-912. Marc Heflin and Billie Heflin v. Phil Brackelsburg and Crystal Brackelsburg, from Pulaski Circuit, Thirteenth Division. Appellants' motion to dismiss cross-appeal is denied. Brown, J., would grant.

### **MOTIONS SUBMITTED**

CACR08-1001. Clarence E. Williams v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees.

CACR08-1040. Christopher Todd Hamilton v. State of Arkansas, from Ouachita Circuit. Motion of Robert N. Jeffrey for attorney's fees.

CACR08-1047. Leslie Caldwell v. State of Arkansas, from Jackson Circuit. Motion of C. Scott Nance for attorney's

fees.

CACR09-743. Clarence Jay Arendall v. State of Arkansas, from Crawford Circuit. Appellant's motion for appeal bond.

CA09-496. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Motion of the Arkansas Coalition Against Domestic Violence et al., to file amicus curiae brief in support of appellant.

CA09-496. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Joint motion to supplement the record.

CA09-498. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Motion of the Arkansas Coalition Against Domestic Violence et al., to file amicus curiae brief in support of appellant.

CA09-498. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Joint motion to supplement the record.

CA09-842. National Christian Charitable Foundation Support, Inc. v. Harris McHenry Real Estate Co., from Benton Circuit. Appellant's motion for application for stay of judgment or supersedeas.

## SUBMISSIONS

CA08-1190. Gary Howard v. Lauren Adams et al., from Benton Circuit. Argued orally.

CACR08-350. Montgomery Dwight Heathman v. State of Arkansas, from Madison Circuit.

CACR08-942. Daniel G. Price v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR08-1124. Tania Jones v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR08-1250. Kenneth Riley v. State of Arkansas, from Miller Circuit.

CACR08-1491. Charles Kevin Woodson v. State of Arkansas, from Randolph Circuit.

CACR08-1501. Travis D. Taylor v. State of Arkansas, from Crittenden Circuit.

CACR09-45. Gregory A. Andrews v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR09-131. Nickarlos Banks v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR09-148. Joseph Wesley May v. State of Arkansas, from White Circuit.

CACR09-222. Colten Cockrell v. State of Arkansas, from Pulaski Circuit, Second Division.

CACR09-255. Scorpio Laron Carroll v. State of Arkansas, from Pulaski Circuit, First Division.

CACR09-287. Michael A. Williams v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CA08-854. River Valley Land, Inc. v. Glenna Hudson, from Pulaski Circuit, Sixteenth Division.

CA08-1306. T. C. v. State of Arkansas, from Ouachita Circuit.

CA08-1423. Jack C. Mitchell v. Martha Mitchell Bass, from Washington Circuit.

CA08-1451. Troy L. Boudreaux v. Ann McNulty Boudreaux, from Pulaski Circuit, Seventeenth Division.

CA09-115. Billy Joe Brown and Julia Brown v. Stanley E. Stephens and Barbara Stephens, from White Circuit.

CA09-221. Natasha White v. Arkansas Department of Human Services, from Jefferson Circuit.

CA09-367. Jerika Ridley v. Arkansas Department of Human Services, from Jackson Circuit.

CA09-373. Ricky Howell v. Arkansas Department of Human Services, from Washington Circuit.

CA09-446. Matthew Loe v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.

CA09-455. Joseph Bearden, Jr. v. Arkansas Department of Human Services, from Washington Circuit.

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

E09-21. SubTeach USA v. Director et al.

E09-57. Therapeutic Family Services v. Director et al.

E09-58. Anthony D. Jordan v. Director et al.

E09-59. Monique D. Jones v. Director et al.

E09-60. Janet Stueve v. Director et al.

E09-61. Antonyal D. Lambert v. Director et al.

E09-62. Fredrick Ashley, Sr. v. Director et al.

E09-63. Lucille A. Johnson v. Director et al.

E09-64. Terresha G. Ferguson v. Director et al.

E09-65. James Lee v. Director et al.

E09-66. Brittany P. Cross v. Director et al.

E09-67. Lashanda L. Ellis v. Director et al.

E09-68. Donna K. Kennedy v. Director et al.