

# ARKANSAS COURT OF APPEALS

Opinions delivered  
September 23, 2009

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JOHN MAUZY PITTMAN, JUDGE:

CA08-854. River Valley Land, Inc. v. Glenna Hudson, from Pulaski Circuit, Sixteenth Division. Affirmed on Direct Appeal; Affirmed on Cross-Appeal. Kinard and Brown, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

CACR08-350. Montgomery Dwight Heathman v. State of Arkansas, from Madison Circuit. Affirmed. Vaught, C.J., and Gruber, J., agree.

ROBERT J. GLADWIN, JUDGE:

CACR08-1491. Charles Kevin Woodson v. State of Arkansas, from Randolph Circuit. Affirmed. Glover and Henry, JJ., agree.

CACR08-1503. Robert Antonio King v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Glover and Henry, JJ., agree.

CA08-1306. T.C., a Minor v. State of Arkansas, from Ouachita Circuit. Affirmed. Glover and Henry, JJ., agree.

CA08-1078. Cecile S. Taylor v. Claudia C. Taylor, William C. Taylor, and C. Elizabeth Taylor, from Union Circuit. Affirmed. Glover and Henry, JJ., agree.

M. MICHAEL KINARD, JUDGE:

CA09-310. Robert Friend and Jennifer Turner v. Arkansas Department of Human Services, from Garland Circuit. Affirmed. Pittman and Brown, JJ., agree.

CA09-446. Matthew Loe v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District. Affirmed; Motion to Withdraw Granted. Pittman, J., agrees. Brown, J., concurs.

DAVID M. GLOVER, JUDGE:

CACR09-148. Joseph Wesley May v. State of Arkansas, from White Circuit. Affirmed. Gladwin and Henry, JJ., agree.

CA09-221. Natasha White v. Arkansas Department of Human Services, from Jefferson Circuit. Affirmed. Gladwin and Henry, JJ., agree.

D. P. MARSHALL JR., JUDGE:

CACR09-255. Scorpio Laron Carroll v. State of Arkansas, from Pulaski Circuit, Seventh Division. Affirmed. Robbins and Baker, JJ., agree.

CA08-1456. E. Stanton Maxey v. David Kossover, from Washington Circuit. Affirmed in Part; Reversed in Part; and Remanded. Hart and Glover, JJ., agree.

CA09-373. Ricky Howell v. Arkansas Department of Human Services and Minor Child, from Washington Circuit. Affirmed. Robbins and Baker, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

CACR08-1250. Kenneth Riley v. State of Arkansas, from Miller Circuit. Affirmed. Gladwin and Glover, JJ., agree.

CA09-115. Billy Joe Brown and Julia Brown v. Stanley E. Stephens and Barbara Deanna Stephens, from White Circuit. Affirmed. Gladwin and Glover, JJ., agree.

PER CURIAM OPINION:

CA09-117. Phil Stratton v. Cathy Sullivan, from Faulkner Circuit. Rebriefing Ordered.

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).

E09-57. 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 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.

**PER CURIAM ORDERS**

CACR09-717. Roger Eugene Ross v. State of Arkansas, from Garland Circuit. Appellant's pro se motion for appeal bond is denied.

CACR09-772. James R. Lowe v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to correct the record and to stay brief time is granted.

CACR09-798. Jonathan Graydon v. State of Arkansas, from Lonoke Circuit. Appellant's motion to complete the record is granted.

CA09-57. Susanne L. Anderson et al. v. Dianne M. Holada, from Faulkner Circuit. Appellee's motion to dismiss request for oral argument is granted.

CA09-244. Greg Seago v. Arkansas Department of Human Services et al., from Miller Circuit. Appellees' joint motion to assign to single division is denied.

CA09-244. Greg Seago v. Arkansas Department of Human Services et al., from Miller Circuit. Appellees' joint motion to expedite appeal is denied.

CA09-337. Anita A. Brewer v. Timothy H. Smith, from Crittenden Circuit. Appellee's motion to supplement and correct the record and for additional brief time is remanded to the trial court to settle the record within thirty days. Appellee's brief due within fifteen days thereafter.  
Pittman, J., not participating.

CA09-350. Alfonso Reid v. Arkansas Department of Human Services et al., from Miller Circuit. Combined joint motion to expedite appeal is denied.

CA09-351. Brian Broderick v. Arkansas Department of Human Services et al., from Miller Circuit. Combined joint motion to expedite appeal is denied.

CA09-359. City of Little Rock v. McGeorge Contracting Company, Inc., from Pulaski Circuit, Ninth Division. Appellee's motion to stay appeal is granted. Status report due November 7, 2009.

CA09-802. Holly Medina v. Clayton Roberts, from Benton Circuit. Appellee's motion to supplement the record and to stay brief time is granted. Record deemed supplemented. Appellee's brief due October 8, 2009.

CA09-815. Brittany Piggee v. Kroger, from Workers' Compensation Commission. Appellant's pro se motion to file belated brief and for brief time is granted. Brief due October 8, 2009.

CA09-815. Brittany Piggee v. Kroger, from Workers' Compensation Commission. Appellee's motion to dismiss appeal is denied.

## **MOTIONS SUBMITTED**

CACR08-1215. Carlos Keck v. State of Arkansas, from Saline Circuit. Motion of F. Parker Jones, III for attorney's fees.

CACR08-1407. Melvin Lee Lockhart, III v. State of Arkansas, from Pulaski Circuit, Second Division. Motion of Adam H. Butler for attorney's fees.

CACR09-31. Mary Joann Cole v. State of Arkansas, from Greene Circuit. Motion of Kristofer E. Richardson for attorney's fees.

CACR09-298. Gary J. Mason v. State of Arkansas, from Scott Circuit. Motion of Andy Riner for attorney's fees.

CACR09-334. James Allen Hill v. State of Arkansas, from Jefferson Circuit. Appellant's petition for writ of certiorari to complete the record.

CACR09-395. Sherman Watson v. State of Arkansas, from Hot Spring Circuit. Appellant's pro se motion for

reconsideration of denial to file supplemental brief.

CACR09-596. Dennis Hutchinson v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's motion to correct the record and to stay briefing schedule.

CACR09-1014. Donald Gene Gaither v. State of Arkansas, from Faulkner Circuit. Motion of Boyd Tackett, Jr. to be relieved as counsel for appellant and for appointment of Caroline Winningham as counsel for appellant.

CA08-1486. Michael A. Hayes v. Sandra L. Otto, from Pulaski Circuit, Fourteenth Division. Appellant's motion for Rule 11 sanctions.

CA09-726. Karen Hardy v. Arkansas Department of Human Services, from Ashley Circuit. Appellant's motion to expedite appeal.

CA09-775. Wiley F. Jones et al. v. Dottie Kerbow Bourassa, from Izard Circuit. Appellee's motion to remand and to stay briefing schedule.

CA09-870. Peter Daniels, Jr. v. Daryl Davis, from Jefferson Circuit. Appellant's motion to file belated brief and for brief time.

CA09-871. Gail Parkerson v. Janet Brown, from Garland Circuit. Appellant's pro se motion to correct and supplement the record and to stay and extend brief time.

CA09-887. Patrick J. Booth and Juanita P. Booth v. Riverside Marine Remanufacturers, Inc. , from Pulaski Circuit, Sixth Division. Appellant's suggestion of death and motion to substitute parties.

CA09-912. Marc Heflin and Billie Heflin v. Phil Brackelsburg and Crystal Brackelsberg, from Pulaski Circuit, Thirteenth Division. Appellant's motion to supplement the record and to extend brief time.

## SUBMISSIONS

CA09-120. Cleo Watkins and Brenda Watkins v. Southern Farm Bureau Casualty Insurance Company et al., from Pulaski Circuit, Sixth Division. Argued orally.

CACR08-1141. Robert Ray Johnson v. State of Arkansas, from Union Circuit.

CACR08-1374. James Clayton Solomon v. State of Arkansas, from Washington Circuit.

CACR08-1391. Felipe Nevarez Ibarra v. State of Arkansas, from Washington Circuit.

CACR08-1453. James Edward Williams v. State of Arkansas, from Pulaski Circuit, Second Division.

CACR08-1508. Knight Michael Vorachith v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR09-56. Nicholas Gibbs v. State of Arkansas, from Crittenden Circuit.

CACR09-168. Brent Daniel Rouzer v. State of Arkansas, from Crawford Circuit.

CACR09-176. Brad Singleton v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR09-262. Rex Allen Hayes, Jr. v. State of Arkansas, from Ashley Circuit.

CACR09-284. Kendrick Hunter Hunt v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR09-306. Terrance M. Rhodes v. State of Arkansas, from Saline Circuit.

CACR09-495. Patsy Ann Jones v. State of Arkansas, from White Circuit.

CA08-1247. DC Xpress, LLC and Robert Sanders v. Mark Briggs, from Pulaski Circuit, Twelfth Division.

CA08-1486. Michael A. Hayes v. Sandra L. Otto, from Pulaski Circuit, Fourteenth Division.

CA08-1505. Rendy McAlexander Ellingsen et al. v. Edward M. King III, Executor et al. from Prairie Circuit, Northern District.

CA09-71. James Hendrix v. David Stobaugh et al., from Pope Circuit.

CA09-87. T & S Machine Shop, Inc. v. K D Sales, from Jefferson Circuit.

CA09-103. Sondra Roberts v. Grant Butler, from Arkansas Circuit, Southern District.

CA09-116. Arkansas Construction and Excavation, LLC v. City of Maumelle, Arkansas et al., from Pulaski Circuit, Ninth Division.

CA09-196. Timothy Gwaltney v. Sex Offender Assessment Committee, from Pulaski Circuit, Sixth Division.

CA09-241. Charles W. Wilson v. Cecil Smith and W & S Excavating, from Pulaski Circuit, First Division.

CA09-610. Amanda Ray Thomsen v. Arkansas Department of Human Services, from Washington Circuit.

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

E09-80. Elinda J. Stribling v. Director et al.

E09-82. Mark L. Sparkman v. Director et al.

E09-83. Ambrose C. Ehirim v. Director et al.

E09-84. Hughey R. Brooks v. Director et al.

E09-85. Paula F. Rigg v. Director et al..

E09-86. Charelene A. Craven v. Director et al.

E09-87. Jerry D. Maez v. Director et al.

E09-88. Ronald L. McNeil v. Director et al.

E09-89. Employee Screening Management v. Director et al.

E09-90. Mike J. Mataka v. Director et al.

E09-91. Betty A. Freeman v. Director et al.

E09-92. Jacquelyn T. McDonald v. Director et al.