

ARKANSAS COURT OF APPEALS

Opinions delivered
January 20, 2010

LARRY D. VAUGHT, CHIEF JUDGE:

CA09-958. Charles Banks v. Arkansas Department of Human Services, from Washington Circuit. Affirmed. Pittman and Robbins, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CACR09-600. Bobby R. Ford v. State of Arkansas, from Union Circuit. Affirmed; Motion to Withdraw Granted. Hart and Gladwin, JJ., agree.

CA09-650. David Barker v. Sherry Barker Avery, from Crawford Circuit. Affirmed. Vaught, C.J., and Robbins, J., agree.

JOSEPHINE LINKER HART, JUDGE:

CACR09-825. Jordan Waller v. State of Arkansas, from Miller Circuit. Affirmed. Kinard and Henry, JJ., agree.

CA09-109. Steven Diddle v. Westwood Health & Rehabilitation, Inc. and CCMSI, Carrier, from the Arkansas Workers' Compensation Commission. Reversed and Remanded. Robbins, Kinard, and Baker, JJ., agree. Vaught, C.J., and Pittman, J., dissent.

CA09-214. Donna Wilson Hanna v. Burton Dugan Hanna, from Washington Circuit. Affirmed. Pittman and Gladwin, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

CACR09-751. Ramondo Edwards v. State of Arkansas, from Union Circuit. Affirmed. Marshall and Baker, JJ., agree.

CA09-909. Samantha Westendorf v. Arkansas Department of Human Services, from Washington Circuit. Affirmed; Motion to Withdraw Granted. Marshall and Baker, JJ., agree.

JOHN B. ROBBINS, JUDGE:

CACR09-855. Matthew Hammonds v. State of Arkansas, from Conway Circuit. Rebriefing Ordered. Vaught, C.J., and Pittman, J., agree.

CA09-22. Brandy Mae Duncan v. Jeremy Scott Duncan, from White Circuit. Reversed and Remanded. Pittman and Gruber, JJ., agree.

M. MICHAEL KINARD, JUDGE:

CACR09-904. Freddy R. Walker v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Hart and Henry, JJ., agree.

CA09-271. Tri-Eagle Enterprises, Dewalt Acceptance, Inc., Randall Blythe, and Greta Blythe v. Regions Bank, from Sebastian Circuit, Fort Smith District. Reversed and Remanded. Robbins and Gruber, JJ., agree.

RITA W. GRUBER, JUDGE:

CA09-653. Cathy Evans v. Bemis Company, Inc., Fidelity & Guaranty Insurance Co., and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed on Appeal and Cross-Appeal. Glover and Brown, JJ., agree.

CA09-736. Christine Angela Henfling v. Arkansas Department of Human Services, from Craighead Circuit, Western District. Affirmed; Motion to Withdraw Granted. Glover and Brown, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

CACR09-29. Steve Brian Stewart v. State of Arkansas, from Ashley Circuit. Rebriefing Ordered. Hart and Kinard, JJ., agree.

CA09-456. Household Recovery Service Center v. Cassandra Vega, from Sebastian Circuit, Fort Smith District. Rebriefing Ordered. Hart and Kinard, JJ., agree.

KAREN R. BAKER, JUDGE:

CACR09-461. Corey Nelson v. State of Arkansas, from Garland Circuit. Affirmed. Gladwin and Marshall, JJ., agree.

CA09-251. Julius S. Morehead v. Valerie R. Morehead, from Ouachita Circuit. Affirmed as Modified. Gladwin and Marshall, JJ., agree.

WAYMOND M. BROWN, JUDGE:

CA09-546. Maurice Higgins v. Betty Higgins, from Pulaski Circuit, Third Division. Affirmed. Vaught, C.J., and Glover, J., agree.

PER CURIAM ORDERS

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

CA09-246. Robert Dotson, Sr. v. Irma L. Dotson, from Carroll Circuit, Eastern District.

CACR08-1207. Sonya Nate Mooney v. State of Arkansas, from Craighead Circuit, Western District. Motion of Valerie L. Hays for attorney's fees is granted. Allowed \$1,400.00.

CACR09-96. Lorri Jean Rye v. State of Arkansas, from Crawford Circuit. Motion of Justin Eisele for attorney's fees and expenses is granted. Allowed \$1,400.00.

CACR09-488. Edward Williams and Connie Williams v. State of Arkansas, from Lonoke Circuit. Motion of Christopher Cordero for attorney's fees is granted. Allowed \$1,400.00.

CACR09-624. David Tyson v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,400.00.

CACR09-721. Ellis Trice v. State of Arkansas, from Crawford Circuit. Motion of Christopher H. Kinslow for attorney's fees is granted. Allowed \$1,400.00.

CACR09-773. Don E. Jordan v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,400.00.

CACR09-785. Broderick Jovan Cooper v. State of Arkansas, from Clark Circuit. Motion of Alvin Schay for attorney's fees is granted. Allowed \$1,400.00.

CACR09-817. James Michael McKim v. State of Arkansas, from Saline Circuit. Motion of F. Parker Jones, III for attorney's fees is granted. Allowed \$1,000.00.

CACR09-820. Robert Cayton v. State of Arkansas, from Crittenden Circuit. Appellant's third motion for extension of time is granted. Final extension.

CACR09-933. Cornelius Joseph McCastle v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's petition for writ of certiorari to complete the record and for extension of time to file brief is granted. Supplemental record due within thirty days. Brief due within thirty days thereafter.

CACR09-1091. Christopher Cody Anderson v. State of Arkansas, from Boone Circuit. Appellee's motion to dismiss is denied.

CACR09-1091. Christopher Cody Anderson v. State of Arkansas, from Boone Circuit. Appellant's motion to file belated brief is granted. Conforming brief due in five days.

CACR09-1291. Michelle Burkhart v. State of Arkansas, from Crawford Circuit. Motion of David Charles Gean to be substituted as counsel for appellant and for brief time is granted. Appellant to reimburse the State for transcript.

CA09-323. Addison Shoe Company et al. v. Lavearn Moody, from Workers' Compensation Commission. Appellee's motion for attorney's fees is granted.

CA09-1278. Gene Ludwig v. Bella Casa, LLC et al., from Pulaski Circuit, Sixth Division. Appellant's pro se motion to file belated brief is granted. Brief due within thirty days.
Final extension. Marshall and Baker, JJ., not participating.

CA09-1297. R. R. v. State of Arkansas, from Faulkner Circuit. Motion of James F. Lane to be relieved as counsel for appellant is granted. Brett D. Watson appointed as counsel for appellant. Brief due March 1, 2010.

MOTIONS SUBMITTED

CACR08-1044. Kevin D. Frazier v. State of Arkansas, from Ashley Circuit. Motion of Joseph P. Mazzanti III for attorney's fees and expenses.

CACR08-1254. Frankie Von Holt v. State of Arkansas, from Crawford Circuit. Motion of Jonathan T. Lane for attorney's fees.

CACR08-1271. Stanley Ray Vick v. State of Arkansas, from Sebastian Circuit, Greenwood District. Motion of David L. Dunagin for attorney's fees.

CACR09-253. Douglas E. Britt v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees.

CACR09-311. Deangelo Dewayne Dillard v. State of Arkansas, from Crittenden Circuit. Motion of David C. Hawkey for attorney's fees and costs.

CACR09-898. Joshua Jerome Thomas v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees.

CACR09-1373. Willious E. Block v. State of Arkansas, from Hempstead Circuit. Motion of Winston C. Mathis to substitute attorney on appeal and appoint F. Parker Jones.

CA09-1214. P. G. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to file belated brief.

CA09-1249. Tracy Zobrist v. Doug Zobrist, from Lonoke Circuit. Appellant's motion to complete the record and to stay brief time.

CA09-1367. Lorie A. Johnson v. Tomas Dawson, from Johnson Circuit. Appellant's motion to consolidate case with CA09-1368.

CA09-1368. Lorie A. Johnson v. Tomas Dawson, from Johnson Circuit. Appellant's motion to consolidate case with CA09-1367.

The following cases are called for dismissal for failure to file briefs pursuant to Arkansas Supreme Court Rule 4-5.

CA09-329. Stephanie M. Taylor v. Brandon Dale Gailey, from Benton Circuit.

CA09-678. Bennie Jean White v. Larry J. Hartsfield, from Pulaski Circuit, Fifth Division.

CA09-830. Kevin Tull v. Kevin Malaney, from Pulaski Circuit, Sixth Division.

CA09-867. Electrical Resources, Inc. v. George Tyree, from Workers' Compensation Commission.

CA09-1043. Carolyn Wilson Branch v. City of North Little Rock, from Workers' Compensation Commission.

SUBMISSIONS

CA08-1516. Rick Doss v. Carrie Miller, from Fulton Circuit. Argued orally.

CACR09-270. Benjamin Scott v. State of Arkansas, from Saline Circuit.

CACR09-324. Jewel Eugene Johnson v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR09-341. Jesus Tapia v. State of Arkansas, from Sevier Circuit.

CACR09-444. Jimmy Lee Frost v. State of Arkansas, from Drew Circuit.

CACR09-484. Daniel Edward Nichols v. State of Arkansas, from Crittenden Circuit.

CACR09-717. Roger Eugene Ross v. State of Arkansas, from Garland Circuit.

CACR09-744. Ralph Lee St. Clair v. State of Arkansas, from Benton Circuit.

CACR09-787. Theodis Jordan Smith v. State of Arkansas, from Jefferson Circuit.

- CA08-809. Arnold E. Gilliam v. Jamie L. Gilliam, from Craighead Circuit, Western District.
- CA09-57. Susanne L. Anderson et al. v. Dianne M. Holada, from Faulkner Circuit.
- CA09-125. Neal Hollingsworth v. Courtney Hollingsworth, from Washington Circuit.
- CA09-449. Jackie R. Shaver v. Land O' Frost, from Workers' Compensation Commission.
- CA09-453. Kristi Lindsey v. Diane Sexton, from Pulaski Circuit, Second Division.
- CA09-507. Kimberly Fredrick v. Arkansas Department of Human Services, from Garland Circuit.
- CA09-568. Johnny Mack Shaffer v. Leo Yang, M.D., from Garland Circuit.
- CA09-635. Kendrick D. Hawkins v. Ethel J. Hawkins, from Faulkner Circuit.
- CA09-690. David Beliew v. Lennox Industries, from Workers' Compensation Commission.
- CA09-700. P. Rye Trucking, Inc. v. Pet Solutions, LLC, from Yell Circuit, Northern District.
- CA09-712. Raymond Vaughn v. Patricia Bates, from Pike Circuit.
- CA09-804. James W. Stanley, Jr. v. Mike Hogan, from Pulaski Circuit, Second Division.
- CA09-847. Shelby Barnett and Linda Barnett v. Keith Gomance and Wanda Stafford, from Garland Circuit.
- CA09-940. Derrick Flowers v. Arkansas State Police, from Workers' Compensation Commission.
- CA09-1030. Jonesboro Care & Rehab v. Ronna Woods, from Workers' Compensation Commission.

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

- E09-130. Latrina Beasley v. Director et al.
- E09-131. Marianne J. Zeno v. Director et al.
- E09-132. Miriam Rangel v. Director et al.
- E09-133. Antoinette A. Baker v. Director et al.
- E09-134. Darren L. Chance v. Director et al.
- E09-135. Cynthia K. Christie v. Director et al.
- E09-136. Jimmy D. Braswell v. Director et al.
- E09-137. Cholista A. Price v. Director et al.
- E09-138. Aretha Bowman v. Director et al.
- E09-139. Shan D. Stallings v. Director et al.
- E09-140. Sharon Hughes v. Director et al.

E09-141. Albert D. Sanders v. Director et al.