

ARKANSAS COURT OF APPEALS

Opinions delivered
January 27, 2010

LARRY D. VAUGHT, CHIEF JUDGE:

CA09-630. Ronnie Lee Easley v. Robin E. Easley, from Grant Circuit. Affirmed. Pittman and Robbins, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CACR09-516. Virgil Dennis Pogue v. State of Arkansas, from Sevier Circuit. Affirmed in Part; Reversed and Dismissed in Part. Vaught, C.J., and Robbins, J., agree.

CA09-451. Chrissey Nunnenman v. Estate of Donald T. Grubbs et al., from Garland Circuit. Reversed and Remanded. Vaught, C.J., and Gladwin, Glover, and Marshall, JJ., agree. Hart, J., dissents.

JOSEPHINE LINKER HART, JUDGE:

CACR09-692. Lathon Jordana v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Kinard and Henry, JJ., agree.

CA09-274. Gary L. Lawhead v. Mary Thompson Harris, from Baxter Circuit. Affirmed. Kinard and Henry, JJ., agree.

CA09-380. Sharon Carter v. Sandy Crawford, from Carroll Circuit, Western District. Reversed and Remanded. Vaught, C.J., Kinard, Marshall, and Henry, JJ., agree. Pittman, Gladwin, Robbins, and Glover, JJ., dissent.

ROBERT J. GLADWIN, JUDGE:

CACR09-741. Rycus Cranall Ward v. State of Arkansas, from Washington Circuit. Affirmed. Marshall and Baker, JJ., agree.

CA09-289. Henry Pianalto v. Patricia Pianalto, from Washington Circuit. Affirmed on Appeal and Cross-Appeal. Marshall and Baker, JJ., agree.

JOHN B. ROBBINS, JUDGE:

CACR09-866. Larry Wayne Saxton v. State of Arkansas, from Prairie Circuit, Southern District. Affirmed. Vaught, C.J., and Pittman, J., agree.

M. MICHAEL KINARD, JUDGE:

CACR09-869. Terry Wayne Pack v. State of Arkansas, from Benton Circuit. Affirmed. Hart and Henry, JJ., agree.

RITA W. GRUBER, JUDGE:

CACR09-211. A.I., a Minor v. State of Arkansas, from Benton Circuit. Affirmed. Glover and Brown, JJ., agree.

CA09-884. Chris Scroggins (Deceased) v. Glen Roberts Excavation, Firstcomp Insurance Co., and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Reversed. Glover and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

CACR08-1285. Connie Watkins v. State of Arkansas, from Greene Circuit. Affirmed. Vaught, C.J., and Pittman, Gladwin, and Marshall, JJ., agree. Hart, J., dissents.

CA09-797. Troy Steele and Shirley Steele v. David Blankenship and Mary Blankenship, from Washington Circuit. Affirmed. Gruber and Brown, JJ., agree.

CA09-875. Glenda Dearman v. Deltic Timber Corporation, Travelers Insurance Co., and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Reversed and Remanded. Gruber and Brown, JJ., agree.

COURTNEY HUDSON HENRY, JUDGE:

CA09-702. Karen Davis v. Arkansas Department of Human Services, from Pulaski Circuit, Tenth Division. Rebriefing Ordered. Hart and Kinard, JJ., agree.

WAYMOND M. BROWN, JUDGE:

CACR09-592. Napoleon Haire v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Gruber and Glover, JJ., agree.

CACR09-652. Raymond D. Freeman v. State of Arkansas, from Madison Circuit. Affirmed. Gruber and Glover, JJ., agree.

CA09-673. Pauline Barrett v. C.L. Swanson Corp. and Cincinnati Insurance Co., from the Arkansas Workers' Compensation Commission. Reversed and Remanded. Gruber and Glover, JJ., agree.

PER CURIAM ORDERS

CACR08-1044. Kevin D. Frazier v. State of Arkansas, from Ashley Circuit. Motion of Joseph P. Mazzanti, III for attorney's fees and expenses is granted. Allowed \$1,400.00.

CACR08-1254. Frankie Von Holt v. State of Arkansas, from Crawford Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,400.00.

CACR08-1271. Stanley Ray Vick v. State of Arkansas, from Sebastian Circuit, Greenwood District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$900.00.

CACR09-253. Douglas E. Britt v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,350.00.

CACR09-311. Deangelo Dewayne Dillard v. State of Arkansas, from Crittenden Circuit. Motion of David C. Hawkey for attorney's fees and costs is granted. Allowed \$1,400.00.

CACR09-898. Joshua Jerome Thomas v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1146. Terry Moss v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of R. Gunner DeLay to withdraw as attorney for appellant is denied without prejudice. See Rule 64(b) of the Arkansas Rules of Civil Procedure. Marshall, J., not participating.

CACR09-1146. Terry Moss v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of James P. Clouette to be substituted as counsel for appellant is denied without prejudice. See Rule 64(b) of the Arkansas Rules of Civil Procedure. Marshall, J., not participating.

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 is granted.

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

CA09-1249. Tracy Zobrist v. Doug Zobrist, from Lonoke Circuit. Appellant's motion to complete the record and to stay brief time is granted subject to certified copies being filed within fourteen days.

CA09-1367. Lorie A. Johnson v. Tomas Dawson, from Johnson Circuit. Appellant's motion to consolidate case with CA09-1368 is granted. Gladwin, J., would deny.

CA09-1368. Lorie A. Johnson v. Tomas Dawson, from Johnson Circuit. Appellant's motion to consolidate case with CA09-1367 is granted. Gladwin, J., would deny.

The following cases are dismissed 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.

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

MOTIONS SUBMITTED

PETITION FOR REHEARING:

CA09-851. Carl Johnson v. U. S. Food Services, Inc. et al., from Workers' Compensation Commission.

CACR08-767. Eric Dewayne Martin v. State of Arkansas, from Miller Circuit. Motion of Phillip A. McGough for attorney's fees and costs.

CACR08-1121. Dennis Eric Morgan v. State of Arkansas, from Drew Circuit. Motion of Gary W. Potts for costs and attorney's fees.

CACR09-433. Lashelle Graham v. State of Arkansas, from Hot Spring Circuit. Motion of Gregory Crain for attorney's fees.

CACR09-543. Dwayne Gibson v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Matthew J. McWilliams for attorney's fees.

CACR09-549. Kelton Esquire Bond v. State of Arkansas, from Benton Circuit. Appellee's motion to dismiss appeal.

CACR09-600. Bobby R. Ford v. State of Arkansas, from Union Circuit. Motion of Robert N. Jeffrey for attorney's fees.

CACR09-728. Marcus Holley v. State of Arkansas, from Desha Circuit, Arkansas City District. Motion of Gary Wayne Potts for costs and attorney's fees.

CACR09-966. Kenneth Lee Slade v. State of Arkansas, from Saline Circuit. Appellee's motion to dismiss appeal.

CACR09-966. Kenneth Lee Slade v. State of Arkansas, from Saline Circuit. Appellant's motion for extension of brief time.

CACR09-1007. Danny Joe Dooly v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to supplement the record and for extension of brief time.

CACR09-1206. Donnell Robinson v. State of Arkansas, from Chicot Circuit. Appellant's motion to accept nonconforming brief.

CACR09-1271. Theotis Thornton v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Dana Reece to be substituted as counsel for appellant and motion for extension of brief time.

CACR10-41. Everett Gene Foster, Jr. v. State of Arkansas, from Lonoke Circuit. Appellant's motion to substitute McKissic and Associates and relieve Jonathan Lane as attorney for appellant.

CA09-359. City of Little Rock v. McGeorge Contracting Company, Inc., from Pulaski Circuit, Ninth Division. Appellee's status report on stay of proceedings.

CA09-469. Linda Jo Robinson v. Walter Whit Barton et al., from Drew Circuit. Appellees' motion to strike appellant's reply brief.

CA09-496. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Appellant's motion for permission to file corrected briefs.

CA09-496. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Motion to file corrected amicus curiae brief in support of appellants.

CA09-498. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Appellant's motion for permission to file corrected briefs.

CA09-498. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Motion to file corrected amicus curiae brief in support of appellants.

CA09-887. Juanita P. Booth, Individually, and as Personal Representative v. Riverside Marine Remanufacturers, Inc., from Pulaski Circuit, Sixth Division. Appellant's motion for oral argument.

CA09-985. Amber Kimble Shields v. Mitchell Kimble, from Randolph Circuit. Appellee's motion to file belated brief and for brief time.

CA09-1160. Progressive Southeast Arkansas Housing Development Corp v. Barbara Abraham, from Jefferson Circuit. Appellant's motion to supplement the record and to stay brief time.

CA09-1217. David G. Vigneault v. Pamela J. Vigneault, from Benton Circuit. Joint motion to supplement the record.

CA09-1238. May Construction Company, Inc. v. Town Creek Construction & Development, LLC., from Washington Circuit. Appellant's motion to file nonconforming brief.

E10-10. Deborah D. Bergman v. Director et al., from Board of Review. Appellant's motion to file belated appeal.

SUBMISSIONS

CA09-79. Kennedy Funding, Inc. v. Virgil W. Shelton, from Pulaski Circuit, Sixth Division. Argued orally.

CA09-740. St. John's Hospital v. Patricia Street, from Workers' Compensation Commission. Argued orally.

CACR08-762. Lee Mark Harris v. State of Arkansas, from Desha Circuit, Arkansas City District.

CACR09-9. Leroy Stevenson v. State of Arkansas, from Craighead Circuit, Western District.

CACR09-441. Randy Paul Brown v. State of Arkansas, from Saline Circuit.

CACR09-586. Bailey Buffalo v. State of Arkansas, from Faulkner Circuit.

CACR09-722. Dellemond Cunningham v. State of Arkansas, from Washington Circuit.

CACR09-759. Dale Sims v. State of Arkansas, from Faulkner Circuit.

CACR09-806. Mack Deconile Smith v. State of Arkansas, from Faulkner Circuit.

CACR09-899. Charles Goodman, Jr. v. State of Arkansas, from Saline Circuit.

CA09-84. D. A. S. v. State of Arkansas, from Crittenden Circuit.

CA09-337. Anita A. Brewer v. Timothy H. Smith, from Crittenden Circuit.

CA09-472. Mack-Reynolds Appraisal Company v. Robert Morton, from Workers' Compensation Commission.

CA09-501. Christopher Gorman v. Clif Gilliam, from Pulaski Circuit, Ninth Division.

CA09-572. Richard Ondrisek v. Arkansas Department of Human Services, from Miller Circuit.

CA09-580. Brian Broderick v. Arkansas Department of Human Services, from Miller Circuit.

CA09-581. Alfonzo Reid, Sr. v. Arkansas Department of Human Services, from Miller Circuit.

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

CA09-727. Terri D. Vogelgesang v. Imogene H. Vogelgesang, from Pulaski Circuit, Thirteenth Division.

CA09-902. Mary Hudak-Lee v. Baxter County Regional Hospital, from Workers' Compensation Commission.

CA09-906. Rayburn Page v. Charlotte J. Page, from Garland Circuit.

CA09-944. Jennifer Emmert v. Arkansas Department of Human Services, from Fulton Circuit.

CA09-959. Global Economic Resources, Inc. v. Sabare SCM Solutions, Inc., from Benton Circuit.

CA09-1006. Robert Hays v. Reddy Ice Group, Inc., from Workers' Compensation Commission.