

ARKANSAS COURT OF APPEALS

Opinions delivered
March 31, 2010

LARRY D. VAUGHT, CHIEF JUDGE:

CACR09-1039. Marcus Levern Allen v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Pittman and Brown, JJ., agree.

CA09-469. Linda Jo Robinson v. Walter Whit Barton and Ball, Barton & Hoffman Firm, from Drew Circuit. Rebriefing ordered. Pittman and Brown, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CA09-715. Fidencio Mendez v. Carmen Aguilar, from Yell Circuit, Southern District. Affirmed. Henry and Baker, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

CA09-1112. James C. Moore and Clara L. Moore v. First Presbyterian Church of Searcy, Arkansas, Inc., and Estate of Nellie Marie Phillips, Deceased, from White Circuit. Affirmed. Robbins and Henry, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

CACR09-1047. Antonio Hunt v. State of Arkansas, from Lonoke Circuit. Affirmed. Brown, J., agrees. Hart, J., concurs.

CA09-955. George Hill v. LDA Leasing, Inc., Employer, AIG Domestic Claims, Inc., Insurance Company of Pennsylvania, from the Arkansas Workers' Compensation Commission. Affirmed. Kinard and Glover, JJ., agree.

CA09-1082. Kevin Massey v. Morris Dee Fulks and James Winters, Executors of the Estate of Derek Cockayne, Deceased, and the Estate of Derek Cockayne, from Stone Circuit. Affirmed. Kinard and Glover, JJ., agree.

JOHN B. ROBBINS, JUDGE:

CA09-1022. Karla J. Gilbert v. Sonic Drive-In and Farmers Insurance Exchange, from the Arkansas Workers' Compensation Commission. Affirmed. Hart and Henry, JJ., agree.

CA09-1126. Paul Schmidt v. Gary Stearman, Sr., from Washington Circuit. Affirmed. Hart and Henry, JJ., agree.

M. MICHAEL KINARD, JUDGE:

CACR09-1063. Russ A. Brewer v. State of Arkansas, from Baxter Circuit. Affirmed. Vaught, C.J., and Gruber, J., agree.

CA09-810. Deltic Timber Corporation v. Kathy Sue Newland and Danny Newland, her husband, Karen Ann Newland and Randy Newland, her husband, and Lisa Kay Dillard, from Conway Circuit. Reversed and Remanded. Gladwin and Glover, JJ., agree.

CA09-1035. James Walter Breckenridge v. Marvin Eugene Breckenridge and Estate of James F. Breckenridge, Deceased, from Woodruff Circuit. Affirmed. Gladwin and Glover, JJ., agree.

DAVID M. GLOVER, JUDGE:

CACR09-779. Monty Lee Stidam v. State of Arkansas, from Benton Circuit. Affirmed. Gladwin and Kinard, JJ., agree.

CA09-857. Winrock Grass Farm, Inc. v. Affiliated Real Estate Appraisers of Arkansas, Inc., Tom Ferstl, and Metropolitan National Bank, from Pulaski Circuit, Sixth Division. Affirmed. Vaught, C.J., and Gladwin, J., agree.

COURTNEY HUDSON HENRY, JUDGE:

CACR09-1046. Bernard Jones v. State of Arkansas, from Hempstead Circuit. Affirmed. Hart and Robbins, JJ., agree.

KAREN R. BAKER, JUDGE:

CA09-1024. George Repking, Kelly Repking and Estate of Christina Springs v. Brad Lokey and Randy Reed, from Sebastian Circuit, Fort Smith District. Rebriefing ordered. Pittman and Henry, JJ., agree.

WAYMOND M. BROWN, JUDGE:

CA09-672. Cheryl Lynn Prickett, as Executrix of the Estate of Shirley Harmor, Deceased, on Behalf of the Estate and Beneficiaries of Shirley Harmor v. Hot Spring County Medical Center; Altimus Ray Bollen, M.D., Individually; Hot Spring Diagnostic Clinic, P.A., an Arkansas Corporation; Larry B. Brashears, M.D., Individually, and L.B. Brashears, M.D., LTD., an Arkansas Corporation; Hudson Healthcare and Hudson Specialty Insurance a/k/a Hudson Healthcare, as Liability Insurer for Hot Spring County Medical Center, from Hot Spring Circuit. Affirmed. Vaught, C.J., and Pittman, J., agree.

PER CURIAM ORDERS

REHEARINGS DENIED: Petitions for Rehearing were denied today in the following cases.

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

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

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

CA09-235. Heirs of F. D. Goza et al. v. William Potts Estate, from Hot Spring Circuit.

CA09-627. Tracey Lilley Trafford v. Dennis Lilley, from Conway Circuit.

CACR09-121. Russell Allen Hanna v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,400.00.

CACR09-750. Phillip Coley Elliott v. State of Arkansas, from Garland Circuit. Motion of Timothy Beckham for attorney's fees is granted. Allowed \$1,400.00.

CACR09-890. Anthony D. Josenberger v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of

Charles E. Smith for attorney's fees is granted. Allowed \$1,400.00.

CACR09-897. Matthew Turner v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,400.00.

CACR09-960. Aaron Matthew Haralson v. State of Arkansas, from Garland Circuit. Motion of Timothy Beckham for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1084. Bruce Blount v. State of Arkansas, from Jefferson Circuit. Motion of Chad M. Green for attorney's fees is granted. Allowed \$1,400.00.

CACR10-131. Anthony Thomas v. State of Arkansas, from Faulkner Circuit. Appellant's pro se motion for appointment of counsel is granted. Brian K. Woodruff is appointed to represent appellant. Appellant's brief due May 10, 2010.

CA09-1034. David Rees v. Danielle McLaughlin, from Craighead Circuit, Western District. Appellant's motion to file belated brief is granted. Marshall, J., not participating.

CA10-25. Ralph Hall et al. v. City of Bryant, from Saline Circuit. Appellant's motion to correct brief is granted.

CA10-57. Ben Williams et al. v. Liberty Bank of Arkansas, from Clay Circuit, Western District. Appellant's motion for expanded argument is denied. Marshall, J., not participating.

CA10-167. Rickey Henry v. QHG of Springdale, Inc., from Benton Circuit. Appellant's motion to remand for entry of a final order and to stay briefing schedule is denied.

MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CA09-984. Esterosto, LLC v. Randy D. Kinsey, et al., from Pulaski Circuit, Sixth Division.

CA09-1030. Jonesboro Care & Rehab Center v. Ronna Woods, from Workers' Compensation Commission.

CACR07-929. Kelly Harrison Campbell v. State of Arkansas, from Lonoke Circuit. Motion of Jerry J. Sallings and Gary D. Marts, Jr. for attorney's fees.

CACR09-346. William Rockward v. State of Arkansas, from Saline Circuit. Motion of F. Parker Jones III for attorney's fees.

CACR09-692. Lathon Jordana v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Ronald L. Davis for attorney's fees.

CACR09-759. Dale Sims v. State of Arkansas, from Faulkner Circuit. Motion of William O. "Bill" James, Jr. for attorney's fees.

CACR09-764. James A. Holliday v. State of Arkansas, from Benton Circuit. Appellant's motion for enlargement of time to file substituted abstract and brief.

CACR09-806. Mack Deconile Smith v. State of Arkansas, from Faulkner Circuit. Motion of William O. "Bill" James, Jr. for attorney's fees.

CACR09-992. Silas Noble, Jr. v. State of Arkansas, from Lafayette Circuit. Motion of Jason Horton for attorney's fees.

CACR09-1056. Donald Henry Elmore v. State of Arkansas, from Crittenden Circuit. Appellant's pro se motion to file belated points for reversal.

CACR10-47. Jacob Wages v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's pro se motion for appointment of counsel and for extension of brief time.

CACR10-81. Phillip W. Holloway v. State of Arkansas, from Scott Circuit. Appellant's motion to expand page limitation.

CA09-639. Stephanie Harris v. Stephen Harris, from Pulaski Circuit, Seventeenth Division. Appellee's motion for costs and fees.

CA09-1073. J. D. Ashley, Sr., by and through Charolette Ashley v. The J.D. Ashley, Sr. Family Limited Partnership et al., from Pulaski Circuit, Ninth Division. Appellant's motion for oral argument.

CA09-1172. Wynona Smith v. Hair Plus Beauty Supplies, Inc., from Workers' Compensation Commission. Appellant's pro se motion for extension of brief time.

CA09-1202. Bio Tech Pharmacal, Inc. v. Edmond Blouin, from Workers' Compensation Commission. Appellant's motion for additional brief time.

CA10-133. Jan Chalmers (Speed), Parent et al. v. The Stephens Family Limited Partnership, from Pulaski Circuit, Sixth Division. Appellee's motion to dismiss appeal.

SUBMISSIONS

CACR08-1477. Matthew Cole Hagen v. State of Arkansas, from Garland Circuit.

CACR09-29. Steve Brian Stewart v. State of Arkansas, from Ashley Circuit.

CACR09-669. Courtney Craig v. State of Arkansas, from Phillips Circuit.

CACR09-855. Matthew Hammonds v. State of Arkansas, from Conway Circuit.

CACR09-990. Charles Edward Jones v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR09-994. Rodney A. Adkins v. State of Arkansas, from Pulaski Circuit, First Division.

CACR09-1132. Demetricus Marcus Hampton v. State of Arkansas, from Craighead Circuit, Western District.

CACR09-1185. Steven Ray Skomp v. State of Arkansas, from Bradley Circuit.

CA09-434. William Doug Bell v. Jerry W. Hoofman, from White Circuit.

CA09-767. Ressie Lee Brooks v. First State Bank, N.A., from Faulkner Circuit.

CA09-780. Patricia Pereira dos Reis Courdin v. Mitch Courdin, from Washington Circuit.

CA09-796. Rita C. Williams v. Michael B. Williams, from Yell Circuit, Northern District.

CA09-908. Cleveland Smith v. Sherry Smith, from Garland Circuit.

CA09-988. Cindy Gilbow v. Fraser M. Richards, M.D., from Craighead Circuit, Western District.

CA09-1085. Sam Durham v. Terry Smith, from Izard Circuit.

CA09-1099. Darrell W. Diggs v. Cattlemen's Livestock Market, Inc., from Workers' Compensation Commission.

CA09-1107. Danielle N. Wood v. Wendy's Old Fashioned Hamburgers, from Workers' Compensation Commission.

CA09-1134. Deborah Landers v. Arkansas Department of Education, from Pulaski Circuit, Sixth Division.

CA09-1163. Rex Thurlkill v. Thelon Wood, from Union Circuit.

CA09-1255. Glayton Johnson v. Jerry Brasfield, from Jefferson Circuit.

CA09-1350. Brenda Armstrong v. Arkansas Department of Human Services, from Saline Circuit.