

# ARKANSAS COURT OF APPEALS

Opinions delivered  
April 21, 2010

LARRY D. VAUGHT, CHIEF JUDGE:

CA09-976. Troyce D. Barnett v. Mountain View School District, from Stone Circuit. Reversed and remanded. Gruber and Glover, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

CA09-1138. Heather Wiggins v. Arkansas Department of Human Services, from Pope Circuit. Affirmed; motion to withdraw granted. Henry and Baker, JJ., agree.

CA09-1234. Yolanda Owens v. Arkansas Department of Human Services, from Union Circuit. Remanded. Vaught, C.J., and Brown, J., agree.

JOSEPHINE LINKER HART, JUDGE:

CACR09-1010. Keith Brown v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Pittman and Baker, JJ., agree.

CA09-460. Troy Blankenship v. Owen Kelly, M.D., and Russell B. Allison, M.D., P.A. d/b/a The Arkansas Orthopaedic Institute, from Pope Circuit. Affirmed. Robbins and Henry, JJ., agree.

CA09-1144. Tommy E. Thompson and Irene Thompson v. The City of Bauxite, Arkansas, et al., from Saline Circuit. Appeal dismissed. Pittman and Baker, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

CACR09-1017. Steven Washington v. State of Arkansas, from Jefferson Circuit. Affirmed. Henry and Brown, JJ., agree.

CA09-297. R.J. Chiodini v. David Lock, from Stone Circuit. Affirmed and remanded with instructions. Henry and Brown, JJ., agree.

JOHN B. ROBBINS, JUDGE:

CACR09-1029. Odell Laron Hinton v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Kinard and Marshall, JJ., agree.

CA09-767. Ressie Lee Brooks v. First State Bank, N.A., from Faulkner Circuit. Affirmed. Hart and Henry, JJ., agree.

CA09-1145. Connie S. York v. James A. York, Jr., from Yell Circuit, Southern District. Affirmed in part; reversed and remanded in part. Kinard and Marshall, JJ., agree.

M. MICHAEL KINARD, JUDGE:

CA09-1365. Jennifer Ramsey v. Arkansas Department of Human Services and M.H., minor, from Garland Circuit. Affirmed. Robbins and Marshall, JJ., agree.

RITA W. GRUBER, JUDGE:

CA09-496. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division. Affirmed. Vaught, C.J., and Glover, J., agree.

DAVID M. GLOVER, JUDGE:

CA09-498. Martine "Tina" Oates v. Michael "Mickey" Oates and Minor Children, from Pulaski Circuit, Thirteenth Division. Affirmed. Vaught, C.J., and Gruber, J., agree.

COURTNEY HUDSON HENRY, JUDGE:

CACR09-1076. Michael A. Williams v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Gladwin and Brown, JJ., agree.

CA09-1164. Lee Davis v. Arkansas Blue Cross & Blue Shield, USAbLe Life Corporation, and HMO Partners, Inc., from Jefferson Circuit. Dismissed. Gladwin and Brown, JJ., agree.

KAREN R. BAKER, JUDGE:

CA09-796. Rita C. Williams v. Michael B. Williams, from Yell Circuit, Northern District. Affirmed. Gruber and Marshall, JJ., agree.

WAYMOND M. BROWN, JUDGE:

CACR09-865. Lyndall Anthony Golden v. State of Arkansas, from Drew Circuit. Affirmed. Gladwin and Henry, JJ., agree.

CA09-633. Daylan Hunt and James L. Hunt and Jerri N. Hunt, Co-Trustees of the Hunt Family Trust v. Entergy Arkansas, Inc., from Garland Circuit. Rebriefing ordered. Gladwin and Henry, JJ., agree.

**PER CURIAM ORDERS**

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

CA08-1518. Donald M. Valentine v. Christy Valentine, from Poinsett Circuit.

CA09-682. Georgia N. Mason et al. v. Alice Buckman et al., from Van Buren Circuit.

CA09-792. John T. Payne, II v. Keith Donaldson d/b/a Donaldson Wrecker Service, from Chicot Circuit.

CA09-854. Larco, Inc. and Robinson Contracting and Equipment Rentals, Inc. v. Thomas G. Strebeck, from Ashley Circuit.

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CACR09-32. Bondie Hood v. State of Arkansas, from Greene Circuit. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,200.00.

CACR09-768. Johnta Barber v. State of Arkansas, from Faulkner Circuit. Motion of William O. "Bill" James, Jr. for attorney's fees is granted. Allowed \$1,400.00.

CACR09-772. James R. Lowe 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.

CACR09-779. Monty Lee Stidam v. State of Arkansas, from Benton Circuit. Motion of Harvey Harris for attorney's fees is granted. Allowed \$1,400.00.

CACR09-787. Theodis Jordan Smith v. State of Arkansas, from Jefferson Circuit. Motion of Jerry Larkowski for attorney's fees is granted. Allowed \$1,400.00.

CACR09-1047. Antonio Hunt v. State of Arkansas, from Lonoke Circuit. Motion of Caroline L. Winningham to withdraw as counsel for appellant is granted.

CACR09-1050. Jermiko Vonjay Johnson v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal is granted.

CACR09-1136. Melvin Marlton Brown v. State of Arkansas, from Ouachita Circuit. Motion of Robert N. Jeffrey for attorney's fees is granted. Allowed \$1,400.00.

CA09-846. Johnny Weaver et al. v. Roosevelt Collins, from Phillips Circuit. Appellee's motion to dismiss appeal is denied. Appellants' substituted brief due within fifteen days. Appellee's brief due within fifteen days thereafter.

CA10-56. David Collins v. Billy Grady Collins, from Independence Circuit. Resubmission after remand of appellant's motion to issue writ of supersedeas is moot.

CA10-165. Pinnacle Point Properties, LLC et al. v. Metropolitan National Bank, from Benton Circuit. Appellants' motion for consolidation of interlocutory appeals and for extension of time to file consolidated brief is granted.

CA10-184. Patti Jo Davis-Lewallen et al. v. Matthew Clegg and Katherine Clegg, from Clay Circuit, Western District. Appellant Davis-Lewallen's motion to file non-conforming brief is granted.

CA10-278. Wildlife Farms, II, LLC v. Tommy F. Robinson et al., from Monroe Circuit. Appellant's petition for writ of certiorari to complete the record and for brief time is granted.

CA10-278. Wildlife Farms, II, LLC v. Tommy F. Robinson et al., from Monroe Circuit. Motion of Appellees, Jeff and Greg Robinson, to dismiss appeal is denied.

## **MOTIONS SUBMITTED**

### **PETITION FOR REHEARING:**

CA09-777. Sandra Hobson v. Donald Holloway, from Prairie Circuit, Southern District.

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CACR09-965. Kenneth Warren v. State of Arkansas, from Pulaski Circuit, Fifth Division. Motion of William O. "Bill" James, Jr. for attorney's fees.

CACR10-81. Phillip W. Holloway v. State of Arkansas, from Scott Circuit. Appellant's motion to supplement the record and to stay briefing schedule.

CACR10-157. Brandon Buford v. State of Arkansas, from Mississippi Circuit, Osceola District. Appellant's motion to supplement the record.

CA09-664. R.C. Landscaping and First Comp Insurance Co. v. William B. Jones, from Workers' Compensation Commission. Appellee's motion for attorney's fees and costs.

CA09-891. M. S., a Minor v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of John Ogles for attorney's fees.

CA09-1320. Greg E. Prock v. Bull Shoals Boat Landing et al., from Workers' Compensation Commission. Appellees' motion to stay brief time.

CA09-1339. Tracy L. (Blair) Hanshaw v. John A. Blair, from Benton Circuit. Appellant's motion for additional brief time.

CA09-1380. Mary Gurlen et al. v. Henry Management , Inc., from Pulaski Circuit, Sixth Division. Appellee's motion to substitute Matthew D. Wells and relieve Bruce Tidwell as counsel for appellee.

CA10-87. Hollis Robison and Jean Robison v. Paul Lee, Thomas Lee and Seeco, Inc., from Van Buren Circuit. Appellee Thomas Lee's motion to dismiss appeal.

CA10-297. E. Sloan Duvall v. Edward McCausland et al., from Washington Circuit. Appellee Edward McCausland's motion to dismiss appeal.

CA10-297. E. Sloan Duvall v. Michael R. Miller et al., from Washington Circuit. Appellee Michael R. Miller's motion to dismiss appeal.

## **SUBMISSIONS**

CA08-624. James Herrington v. Ford Motor Company, Inc., from Washington Circuit. Argued orally.

CACR09-819. Derryl Seay v. State of Arkansas, from Crittenden Circuit.

CACR09-966. Kenneth Lee Slade v. State of Arkansas, from Saline Circuit.

CACR09-1058. John C. Rambeau v. State of Arkansas, from Garland Circuit.

CACR09-1077. Stevie James Howard v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR09-1171. Charles Skomp v. State of Arkansas, from Bradley Circuit.

CACR09-1216. Jessie Marrell Douglas v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR09-1325. Maxwell Melder v. State of Arkansas, from Lonoke Circuit.

- CA09-57. Susanne L. Anderson et al. v. Dianne M. Holada, from Faulkner Circuit.
- CA09-231. Donald C. Hill and Kristen N. Kuelbs et al. v. Kimberly Hill, from Garland Circuit.
- CA09-456. Household Recovery Service Center v. Cassandra Vega, from Sebastian Circuit, Fort Smith District.
- CA09-858. Natasha Blakes v. Arkansas Department of Human Services, from Crittenden Circuit.
- CA09-895. Sammy Scales et al. v. Patricia Scales Vaden et al., from Desha Circuit, Arkansas City District.
- CA09-931. Donald C. Hill and Kristen N. Kuelbs et al. v. Kimberly Hill, from Garland Circuit.
- CA09-1044. Walnut Ridge Golf Club, Inc. v. City of Walnut Ridge, from Lawrence Circuit.
- CA09-1214. P. G. v. State of Arkansas, from Sebastian Circuit, Fort Smith District.
- CA09-1221. Wesner's Grill v. Kenneth Carpenter, from Workers' Compensation Commission.
- CA09-1235. M. E. v. State of Arkansas, from Saline Circuit.
- CA09-1263. L & L Energy Company et al. v. Chesapeake Exploration, LLC, et al., from White Circuit.
- CA09-1405. John Barber v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.
- CA10-12. Michelle Reed v. Arkansas Department of Human Services, from Washington Circuit.
- CA10-45. Tina Foster v. Arkansas Department of Human Services, from Ouachita Circuit.

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

- E09-177. Wilma J. Brown v. Director et al.
- E09-178. Kenneth L. Scott v. Director et al.
- E09-179. Willie R. Litzsey v. Director et al.
- E09-180. Larry F. Robbins, Jr. v. Director et al.
- E09-181. Carla A. Krueger v. Director et al.
- E09-182. Aisha R. Ruff v. Director et al.
- E09-183. Arkansas Box v. Director et al.
- E09-184. Alice F. Goldman v. Director et al.
- E10-1. Burke H. Daneman v. Director et al.
- E10-2. Sandra L. Stafford v. Director et al.
- E10-4. Ebonie D. Early v. Director et al.