

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 18, 2012

LARRY D. VAUGHT, CHIEF JUDGE:

[CA11-811](#). Cedarville Public Schools and ASBA Risk Management Program v. Jan Marshall, from the Arkansas Workers' Compensation Commission. Affirmed. Robbins and Hoofman, JJ., agree.

[CA11-907](#). Logan Thouvenell v. Arkansas Department of Human Services and Minor Child, from Sebastian Circuit, Fort Smith District. Affirmed; motion to withdraw granted. Abramson and Hoofman, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA11-755](#). Downey Moving & Storage Company, Inc. v. Alfred Wiseman and Tamika Wiseman, from Faulkner Circuit. Reversed and dismissed. Robbins and Glover, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CACR11-322](#). Kevin Kyle Crouse v. State of Arkansas, from Crittenden Circuit. Motion to be relieved denied; reversed and remanded. Robbins and Abramson, JJ., agree.

CACR11-592. Randy Kirk Cooper v. State of Arkansas, from Washington Circuit. Affirmed. Gladwin and Wynne, JJ., agree. [LINK NOT YET AVAILABLE]

ROBERT J. GLADWIN, JUDGE:

[CACR11-659](#). Billy Joe Clark v. State of Arkansas, from Woodruff Circuit. Rebriefing ordered. Hart and Wynne, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CACR11-647](#). James Wyman Walker v. State of Arkansas, from Columbia Circuit. Affirmed. Pittman and Glover, JJ., agree.

[CA11-911](#). Ciero Bajoie v. Arkansas Department of Human Services and Minor Child, from Pulaski Circuit, Eleventh Division. Affirmed; motion granted. Pittman and Glover, JJ., agree.

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ROBIN F. WYNNE, JUDGE:

[CACR11-716](#). Richard Duncan v. State of Arkansas, from Pulaski Circuit, Second Division. Affirmed. Hart and Gladwin, JJ., agree.

[CA10-945](#). Barry J. Jewell v. Debra Duree-Jewell, from Pulaski Circuit, Seventeenth Division. Affirmed. Hart and Gladwin, JJ., agree.

RITA W. GRUBER, JUDGE:

[CA11-353](#). Sebastian Stadler v. Betty Ann Warren, Leroy Warren, Richard Scott Warren, and Stephen Craig Warren, from Johnson Circuit. Affirmed. Martin and Brown, JJ., agree.

[CA11-775](#). Janice C. Tucker v. Bank of America Indemnity Insurance Company of North America and Gallagher Bassett Services, Inc., from the Arkansas Workers' Compensation Commission. Reversed and remanded. Martin and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA11-150](#). Eaton and Moery Farms, a Partnership; Glen Eaton and Fonda A. Eaton, His Wife; Brian Moery, Jr., and Clara N. Moery, His Wife v. Estate of George Hamilton Lescher, Deceased, from Cross Circuit. Appeal dismissed. Pittman and Robbins, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CA11-772](#). Cedric Raulston v. Waste Management, Inc., Indemnity Insurance Company of North America, and Gallagher Bassett Services, from the Arkansas Workers' Compensation Commission. Rebriefing ordered. Vaught, C.J., and Hoofman, J., agree.

DOUG MARTIN, JUDGE:

[CACR11-244](#). Thomas T. Jones v. State of Arkansas, from Jefferson Circuit. Affirmed; motion granted. Pittman and Wynne, JJ., agree.

[CACR11-368](#). Phillip Kimmel v. State of Arkansas, from Jefferson Circuit. Remanded for rebriefing; motion to withdraw denied. Pittman and Wynne, JJ., agree.

[CACR11-404](#). Gary Benton v. State of Arkansas, from Arkansas Circuit, Northern District. Affirmed. Pittman, Gruber, and Glover, JJ., agree. Vaught, C.J., and Hart, J., concur in part and dissent in part.

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DOUG MARTIN, JUDGE: (continued)

[CA11-739](#). Arkansas Department of Human Services v. A.M., Sonja Mitchell, and Christopher Matthews, Sr., from Jefferson Circuit. Dismissed without prejudice. Gruber and Brown, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CA10-1175](#). Dustin Kyle Chastain v. Courtney Heather Chastain, from Pulaski Circuit, Fourteenth Division. Affirmed. Vaught, C.J., and Abramson, J., agree.

WAYMOND M. BROWN, JUDGE:

[CACR11-814](#). Quincy Jay Plessy v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Gruber and Martin, JJ., agree.

[CA11-895](#). Breann Bayron v. Arkansas Department of Human Services and Minor Children, from Sevier Circuit. Affirmed. Gruber and Martin, JJ., agree.

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PER CURIAM ORDERS

PETITIONS FOR REHEARING: Petitions for Rehearing were denied today in the following cases.

CACR10-1110. Lee James Owens v. State of Arkansas, from Miller Circuit. Hart, J., would grant.

CA11-473. Robert David Lewis v. AT&T Mobility and Metropolitan National Bank, from Pulaski Circuit, Third Division.

CACR11-83. Darren Earl Bull v. State of Arkansas, from Faulkner Circuit. Motion of Caroline L. Winningham for attorney's fees is granted. Allowed \$1,000.00.

CACR11-395. Phillip D. Wofford 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.

CACR11-553. Bobby Lynn Lytle v. State of Arkansas, from Grant Circuit. Appellant's motion to file belated supplemental abstract, addendum, and brief is granted. Supplemental abstract, addendum, and brief is filed this date.

CACR11-575. James Edward Daniels, Jr. v. State of Arkansas, from Drew Circuit. Motion of Joseph P. Mazzanti, III, for attorney's fees and expenses is granted. Allowed \$1,400.00.

CACR11-788. Glen Eric Nelson, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion seeking a copy of the transcript and documents is denied.

CACR11-819. Benjamin Eagle v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's pro se motion to supplement brief is denied.

CA10-133. Kathryn Stephens et al. v. Stephens Family Limited Partnership, from Pulaski Circuit, Sixth Division. Motion to accept recreated duplicate original of record is granted.

CA11-1033. Pamela Stuckey v. Mortgage Electronic Registration System, Inc., from Pulaski Circuit, Third Division. Appellant's pro se motion to combine cases and for extension of brief time is denied.

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PER CURIAM ORDERS

CA11-1115. Mark Dean v. Victoria Wiley, from Yell Circuit, Northern District. Appellant's pro se motion to supplement record and for stay of briefing schedule is denied. Motion to proceed in forma pauperis is moot.

CA11-1115. Mark Dean v. Victoria Wiley, from Yell Circuit, Northern District. Appellee's motion to dismiss appeal is granted.

[CA11-1174](#). Arlands, LLC v. MPC Color, Inc., from Craighead Circuit, Western District. Motion of Liberty Bank of Arkansas to supplement the record and to stay the brief time is moot. Motion for separate briefing schedule is denied. *See per curiam* this date.

CA11-1179. Cynthia Wingfield v. Jeffrey Wingfield, from Pulaski Circuit, Sixth Division. Appellant's motion to correct the record and for extension of brief time is granted. Writ issued; returnable February 17, 2012. Appellant's brief due within thirty days thereafter. Gladwin and Gruber, JJ., not participating.

CA11-1290. New Balance Athletic Shoe, Inc. v. Whitney Stagg et al., from Washington Circuit. Appellees' motion to dismiss appeal is denied without prejudice. Glover, J., not participating.

E11-222. Jerry Y. Courtney v. Director et al., from Board of Review. Appellant's pro se motions to add or supplement appeal are denied.

E11-306. Troy L. Vincent v. Director et al., from Board of Review. Pro se motion to file belated appeal is denied.

E11-307. Breanna S. Harvell v. Director et al., from Board of Review. Pro se motion to file belated appeal is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CA11-320. Dana T. Carek v. Charles C. Carek, III, from Faulkner Circuit.

CA11-679. Richard Little v. Tyson Poultry, Inc., and Tynet, Inc., from Workers' Compensation Commission.

CA11-785. Paula Gammill and Steven Gammill v. Christa Hoover, from Stone Probate.

CACR11-53. Orville Dewayne Kelley v. State of Arkansas, from Faulkner Circuit. Motion of Caroline Winningham for attorney's fees.

CACR11-1224. John Lewis v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion of John D. Coulter for entry of appearance.

CA11-915. Esther Edgin et al. v. Central United Life Insurance Co., from Independence Circuit. Appellee's motion for judicial notice.

CA11-931. Bennett & DeLoney, P.C., et al. v. State of Arkansas, from Pulaski Circuit, Second Division. Appellees' motion to consolidate CA11-931 and CA11-1013.

CA11-1013. Jack Boyajian v. State of Arkansas, from Pulaski Circuit, Sixth Division. Appellee's motion to consolidate CA11-1013 and CA11-931.

CA11-1180. Sandy Thomas v. Arkansas Department of Human Services, from Miller Circuit. Appellant's motion to correct the petition of appeal.

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CACR11-672. Kenny Wayne Cornett v. State of Arkansas, from Madison Circuit. Argued orally.

CACR09-1250. Shannon D. Williams v. State of Arkansas, from Greene Circuit.

CACR11-233. Derrick Antoine Wilson, Sr. v. State of Arkansas, from Ashley Circuit.

CACR11-420. Troy Lester Denson, III v. State of Arkansas, from Lonoke Circuit.

CACR11-447. Miguel Angel Osuna v. State of Arkansas, from Washington Circuit.

CACR11-721. Pattie Jo James v. State of Arkansas, from Arkansas Circuit, Northern District.

CACR11-745. L.C. Kennedy, Jr. v. State of Arkansas, from Craighead Circuit, Western District.

CACR11-898. Danny Franklin King v. State of Arkansas, from Hempstead Circuit.

CA11-525. William E. Flynn v. J.B. Hunt Transportation, from Workers' Compensation Commission.

CA11-620. Zelda Walls and Richard Gawenis v. Arkansas Oil and Gas Commission and SEECO, Inc., from Van Buren Circuit.

CA11-779. Alfredo Delgado v. Swacy A. Delgado, from Pulaski Circuit, Thirteenth Division.

CA11-816. Ann Shull Bell and Nelson Keith Bell v. Bank of America, N.A., from Lonoke Circuit.

CA11-824. Tyson Chicken, Inc. v. Quentin Witherspoon, from Workers' Compensation Commission.

CA11-833. Jesus Castaneda v. Lexicon, Inc., from Workers' Compensation Commission.

CA11-849. Myron Lance v. Cathy Scott, from Polk Circuit.

CA11-885. Johnny Dwayne Draper and Theresa Draper v. Arkansas Department of Human Services and Minor Children, from Union Circuit.

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CA11-910. Sherry Tankersley and Erick Tankersley v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.

E11-110. Arkansas Internal Medicine Clinic v. Director et al.