

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 14, 2012

LARRY D. VAUGHT, CHIEF JUDGE:

[CA11-1178](#). Jasmine Cole v. Arkansas Department of Human Services and Minor Child, from Washington Circuit. Affirmed. Hart and Robbins, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA11-726](#). Roselyn G. Gira Living Revocable Trust v. Frank Bryant, Alice Bryant, and Bonnie Kelley, from Newton Circuit. Rebriefing ordered. Wynne and Hoofman, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CA11-966](#). Jackie Price, Sr. v. Barbara Griffin, from Jackson Circuit. Affirmed. Hoofman and Brown, JJ., agree.

[CA11-1074](#). Georgia Pacific Corporation and Sedgewick Claims Management Services v. Dirk Lawhon and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Robbins, J., agree.

ROBERT J. GLADWIN, JUDGE:

[CA11-1121](#). Billy Webb and EMC Insurance Companies v. Ronald G. Webb, from the Arkansas Workers' Compensation Commission. Affirmed. Glover and Brown, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CA11-1047](#). Michael Wadley v. Elizabeth Mae Wadley, from White Circuit. Affirmed on direct appeal; reversed and remanded on cross-appeal. Vaught, C.J., and Hart, J., agree.

ROBIN F. WYNNE, JUDGE:

[CA11-1080](#). Mika Cheney and Jason Cheney v. Arkansas Department of Human Services and Minor Children, from Crittenden Circuit. Affirmed; motion to withdraw granted. Pittman and Hoofman, JJ., agree.

RITA W. GRUBER, JUDGE:

[CA11-943](#). Donna Balch v. Sebastian County and AAC Risk Management, from the Arkansas Workers' Compensation Commission. Affirmed. Abramson and Martin, JJ., agree.

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DAVID M. GLOVER, JUDGE:

[CA11-1193](#). Tabitha A. Adams v. Arkansas Department of Human Services and Minor Child, from Sebastian Circuit, Fort Smith District. Dismissed. Gladwin and Brown, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CA11-223](#). Larry Eugene Madison and Misty Leigh Madison, Husband and Wife, and Miles Vernon Griffin v. Ashley Dawn Turley Osburn, from Washington Circuit. Affirmed in part and reversed in part on direct appeal; affirmed on cross-appeal. Robbins and Wynne, JJ., agree.

[E11-273](#). Kelly Sigel v. Director, Department of Workforce Services, and The Duncan Law Firm, from the Arkansas Board of Review. Reversed and remanded. Gruber and Martin, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CA11-610](#). Acker Construction, LLC v. Hanh Billy Tran, from Scott Circuit. Affirmed. Pittman and Wynne, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CA11-1159](#). Kenneth Blanchard v. Arkansas Department of Human Services and B.B., L.B., and S.B., Minors, from Madison Circuit. Affirmed. Gladwin and Glover, JJ., agree.

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PER CURIAM DECISIONS

The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).

- E11-261. Gilbert R. Johnson v. Director et al.
- E11-262. Crown Trace Villa v. Director et al.
- E11-263. Herman F. Rockingham v. Director et al.
- E11-265. Scott A. Trasher v. Director et al.
- E11-266. Karl M. Brooks v. Director et al.
- E11-267. Jeff L. Chambers v. Director et al.
- E11-268. Teresa B. Sproles v. Director et al.
- E11-270. Cheryl A Hill v. Director et al.
- E11-271. Lee A. Bunch v. Director et al.
- E11-272. Rocky L. Fernandez v. Director et al.
- E11-274. Willam Nusbaum v. Director et al.

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PER CURIAM ORDERS

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

CACR11-412. Patrick Cinque Smith v. State of Arkansas, from Pulaski Circuit, First Division.

CACR11-880. Eric James Elliott v. State of Arkansas, from Lonoke Circuit.

CA11-77. Helen Freeman Lynch v. Harrell Bates and Vivian Bates, from Faulkner Circuit.

CA11-459. Benefit Bank v. Marilyn Rogers, from Sebastian Circuit, Greenwood District.

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

CA11-651. Perry Mack v. Union Pacific Railroad Company, from Jefferson Circuit.

CACR10-1110. Lee James Owens v. State of Arkansas, from Miller Circuit. Amended motion of Jason Horton for attorney's fees is granted. Allowed \$1,400.00.

CACR11-341. Daniel Lewis v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion and amended motion of Walt McCarter for attorney's fees is granted. Allowed \$1,400.00.

CACR11-1048. Bobby Simmons v. State of Arkansas, from Jackson Circuit. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,400.00.

CACR11-1187. Mycheal Kinard v. State of Arkansas, from Garland Circuit. Pro se motion for release on bond pending appeal is denied.

CACR12-71. John Wesley Magness v. State of Arkansas, from Van Buren Circuit. Appellant's pro se motion for appointment of counsel outside the 20th judicial district and to stay briefing is moot.

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CA11-460. S.M.C. v. State of Arkansas, from Grant Circuit. Appellee's motion to dismiss appeal is denied.

CA11-471. Clayton Coker v. Samantha Hess Coker, from Garland Circuit. Appellee's motion for costs is denied. Gladwin and Gruber, JJ., not participating.

CA11-580. Edward Irwin Courtney v. Richard Lynn Ward, II, and Tessa Ward, from Washington Circuit. Appellees' motion for attorney's fees is denied.

CA11-823. Proassurance Indemnity Co., Inc. v. Pamela and Kenny Metheny, from Pulaski Circuit, Sixteenth Division. Appellant's motion to reconsider denial of motion to seal record and motion to file briefs under seal is granted. Record and briefs sealed.

[CA11-915](#). Esther Edgin, Mary McCollough, et al. v. Central United Life Insurance Company, from Independence Circuit. Remanded for supplementation of the record and rebriefing. *See per curiam* this date.

CA11-1308. LVNV Funding, LLC v. Rae Nardi, from Montgomery Circuit. Appellee's motion to dismiss appeal is denied.

CA12-2. Sam Edward Thurmond, Sr. v. Kohl's Department Store, Inc., et al., from Faulkner Circuit. Motion of separate Appellee Kohl's Department Store to dismiss appeal is granted.

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PETITION FOR REHEARING:

CACR11-851. Francisco Ortego Montalvo v. State of Arkansas, from Faulkner Circuit.

CACR10-1013. Damon Jackson v. State of Arkansas, from Desha Circuit. Appellant's motion for remand to complete the record, to stay the briefing schedule and for additional brief time.

CACR11-880. Eric James Elliott v. State of Arkansas, from Lonoke Circuit. Motion of John Ogles for attorney's fees.

CACR11-1069. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal.

CACR12-171. Conception Hicks v. State of Arkansas, from Grant Circuit. Motion of Jason P. Kearney to be substituted as counsel for appellant.

CA11-197. Billy R. Hallum v. Estate of Mel Hallum, from Craighead Circuit, Western District. Appellant's pro se motion for declaratory judgment.

CA11-354. Patricia Barnes-Giles v. Veronica Paxton et al., from Jefferson Circuit. Appellees' motion to dismiss appeal.

CA11-783. Jim Peterson et al. v. William "Bill" Davis et al., from Baxter Circuit. Appellees' motion for costs.

CA11-806. David Brent Morris v. Paula Dickerson, from Polk Circuit. Appellant Morris' verified motion for taxation of costs, attorney's fees, and expenses on appeal.

CA11-900. Chase Bank USA, N.A. v. Dyke, Henry, Goldsholl & Winzerling, P.L.C., et al., from Pulaski Circuit, Thirteenth Division. Appellees/cross-appellants' motion to consolidate appeal and cross-appeal in CA11-900 and CA12-41, to consolidate brief due dates, and to extend due date for cross-appellants' brief.

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MOTIONS SUBMITTED

CA11-900. Chase Bank USA, N.A. v. Dyke, Henry, Goldsholl & Winzerling, P.L.C., et al., from Pulaski Circuit, Thirteenth Division. Appellees' motion for expansion of page limit.

CA12-41. Regions Bank, N.A. et al. v. Chase Bank USA, N.A., from Pulaski Circuit, Thirteenth Division. Appellees/cross-appellants' motion to consolidate appeal and cross-appeal in CA11-900 and CA12-41, to consolidate brief due dates, and to extend due date for cross-appellants' brief.

E11-269. Noah Johnson v. Director et al., from Board of Review. Appellant's motion to file belated corrected brief.

E12-106. Integrated Property Management v. Director et al., from Board of Review. Motion to file a belated appeal.

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CACR11-812. Dominic Anthony McPeak v. State of Arkansas, from Clark Circuit.

CACR11-936. Dewayne Boykin v. State of Arkansas, from Hot Spring Circuit.

CACR11-949. Alquantis Pitts v. State of Arkansas, from Chicot Circuit.

CACR11-979. Leonard Morice Reed v. State of Arkansas, from Grant Circuit.

CACR11-1153. Jonale Henry v. State of Arkansas, from Lonoke Circuit.

CA11-179. Clifford Flowers v. Amerisourcebergen Drug Corp., from Jefferson Circuit.

CA11-343. Partne A. Daugherty v. Jacksonville Police Department, from Pulaski Circuit, Fifth Division.

CA11-554. Guy Maris Trust et al. v. Zachary W. "Woody" Truemper, from Pulaski Circuit, Third Division.

CA11-718. D.C.T. v. State of Arkansas, from Mississippi Circuit, Chickasawba District.

CA11-883. Michael Wilson v. Sara Powers, from Grant Circuit.

CA11-915. Esther Edgin et al. v. Central United Life Insurance Co., from Independence Circuit.

CA11-1087. Capstone Oilfield Disposal of Arkansas, LLC v. Arkansas Oil and Gas Commission, from Pope Circuit.

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

E11-275. Ricky A. Steed v. Director et al.

E11-276. Anthony D. Palmer v. Director et al.

E11-277. Jeana L. Wilson v. Director et al.

E11-278. David A. Kelley v. Director et al.

E11-279. Brenda K. Turner v. Director et al.

E11-280. Amy E. Clark v. Director et al.

E11-281. Rebekah S. Kerr v. Director et al.

E11-282. Paul Enos v. Director et al.

E11-283. Anthony D. Martin v. Director et al.

E11-285. Stephanie Ingle v. Director et al.

E11-286. Mary Sult v. Director et al.

E11-287. Cornelia G. Griffin v. Director et al.