

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 28, 2012

LARRY D. VAUGHT, CHIEF JUDGE:

[CA11-967](#). Fredric Dohle, Bertha Dohle, James Dohle, and Kathy Dohle v. Sue Ann Duffield, Frances Augusta Duffield Johnson, and Jim Johnson, from Benton Circuit. Affirmed in part; reversed in part. Hart and Robbins, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CACR11-746](#). Scottie Joiner v. State of Arkansas, from Craighead Circuit, Western District. Rebriefing ordered. Vaught, C.J., and Robbins, J., agree.

ROBIN F. WYNNE, JUDGE:

[CACR11-350](#). Willie McDaniels v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Pittman and Hoofman, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CA11-1035](#). American Eagle Airlines and Specialty Risk Services v. Donald Berndt, from the Arkansas Workers' Compensation Commission. Affirmed in part; reversed and remanded in part. Gruber and Martin, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR11-485](#). Stephanie Nichol Smalley v. State of Arkansas, from Pulaski Circuit, Second Division. Appeal dismissed. Gruber and Abramson, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CACR11-191](#). Ke'Ondra Montrel Chestang v. State of Arkansas, from Lee Circuit. Affirmed. Pittman and Wynne, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CACR11-791](#). Edward Vincent Smith v. State of Arkansas, from Pulaski Circuit, Fifth Division. Dismissed with instructions. Gladwin and Glover, JJ., agree.

[CA11-179](#). Clifford Flowers v. Amerisourcebergen Drug Corp., from Jefferson Circuit. Affirmed. Gladwin and Glover, JJ., agree.

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PER CURIAM ORDERS

REHEARING DENIED: Petition for Rehearing was denied today in the following case.

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 is granted.

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

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

CACR11-1069. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion for additional time to file belated brief is granted.

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

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

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

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

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

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CA11-900. Chase Bank USA, N.A. v. Dyke, Henry, Goldsholl & Winzerling, P.L.C., et al., from Pulaski Circuit, Thirteenth Division. Appellees' motion to consolidate appeals in CA11-900 and CA12-41 and to consolidate brief due dates is denied.

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 is granted.

CA12-41. Regions Bank, N.A. et al. v. Chase Bank USA, N.A., from Pulaski Circuit, Thirteenth Division. Appellants' motion to consolidate appeals CA11-900 and CA12-41, to consolidate brief due dates, and to extend due date for appellants' brief. Motion to consolidate is denied. Motion for additional brief time is granted.

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

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

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PETITIONS FOR REHEARING:

CA11-847. Jeremy Dewayne Summers v. Charlie Elmer Byrd, individually and in his official capacity; Robert Leon Lewis, individually and in his official capacity; Fred L. Roberts, Jr., Chief of Police of Gosnell, in his official capacity; City of Gosnell; and Dick Reams, Mayor of the City of Gosnell, in his official capacity, from Mississippi Circuit, Chickasawba District.

CA11-1015. Smith Land Company, LLC, Springhill Land and Timber Co., LLC, and A. Lamar Smith v. John Hancock Mutual Life Insurance Co., from Columbia Circuit.

CACR11-659. Billy Joe Clark v. State of Arkansas, from Woodruff Circuit. Appellant's motion to file supplemental brief and for additional brief time.

CACR11-768. Terry Lee Scroggins v. State of Arkansas, from Logan Circuit, Southern District. Motion of Johnathan D. Dial, Sr., for attorney's fees.

CACR11-860. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion to file amended brief.

CACR11-1258. Robert Lee Henderson v. State of Arkansas, from Miller Circuit. Appellant's motion to seal trial record.

CACR11-1258. Robert Lee Henderson v. State of Arkansas, from Miller Circuit. Appellant's motion to extend filing date to comply with court's order of redaction of record.

CACR12-185. James Edward Green, Jr. v. State of Arkansas, from Drew Circuit. Appellant's motion for leave to proceed in forma pauperis.

CACR12-185. James Edward Green, Jr. v. State of Arkansas, from Drew Circuit. Motion of Jack R. Kearney to be relieved as counsel for appellant and to appoint appellate attorney.

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CACR12-185. James Edward Green, Jr. v. State of Arkansas, from Drew Circuit. Appellant's motion to supplement the record.

CACR12-190. Gilberto Martinez-Marmol v. State of Arkansas, from Washington Circuit. Motion of Greg Klebanoff to be relieved as counsel for appellant.

CA11-538. Mafalda Casas-Cordero v. Anthony Mira, from Baxter Circuit. Appellee's motion to dismiss appeal and to stay briefing schedule.

CA11-840. Arkansas Elder Outreach of Little Rock, Inc., et al. v. Anniebelle Maness, from Poinsett Circuit. Motion of Arkansas Trial Lawyers Association to file a brief amicus curiae.

CA11-957. Walgreen Co. et al. v. Grant W. Goode et al., from Workers' Compensation Commission. Appellee's motion for attorney's fees.

CA11-1117. Dave Eusanio v. Dante Tippin, from Jefferson Circuit. Appellant's motion to file supplemental abstract and addendum.

CA11-1208. Catherine Yokley v. Bruce Yokley, from White Circuit. Appellant's motion for reconsideration.

CA11-1229. Rodney D. Kankey v. State of Arkansas, from Fulton Circuit. Appellee's motion to dismiss for lack of jurisdiction and for extension of brief time.

CA11-1247. Kay Houchins v. Home Care Professionals of Arkansas, Inc., et al., from Pulaski Circuit, First Division. Appellant's motion to file belated brief.

CA12-89. Tammye Hall v. Justin Hall, from Pulaski Circuit, Fourteenth Division. Appellant/cross-appellee's motion to dismiss appellee/cross-appellant's cross appeal.

CA12-97. Beau Welch et al. v. Gary S. Richardson, Jr., from Sebastian Circuit, Fort Smith District. Appellants' motion to hold briefing schedule in abeyance until bankruptcy proceeding is resolved.

CA12-102. Christy S. Pepper v. Wendell Garrett, DDS, from Union Circuit. Appellant's motion to supplement record and to stay brief time.

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CA12-107. David Byrd v. State of Arkansas, Office of Child Support Enforcement and Darlene Byrd, from Boone Circuit. Motion of State of Arkansas, Office of Child Support Enforcement to dismiss appeal.

CA12-147. Thane Thomas Newton v. Office of Child Support Enforcement, from Washington Circuit. Appellee's motion for the Court to take judicial notice.

CA12-147. Thane Thomas Newton v. Office of Child Support Enforcement, from Washington Circuit. Appellant's pro se motion to duplicate brief at state expense.

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CA11-496. Arkansas Electric Energy Consumers, Inc., and Arkansas Gas Consumers, Inc. v. Arkansas Public Service Commission, Entergy Arkansas, and Centerpoint Energy, from Public Service Commission. Argued orally.

CACR10-646. Oscar Perez v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR11-553. Bobby Lynn Lytle v. State of Arkansas, from Grant Circuit.

CACR11-711. Steven John Ross, Jr. v. State of Arkansas, from Crawford Circuit.

CACR11-735. Brennan Matthew King v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR11-1102. Ova Dean Summers v. State of Arkansas, from Crawford Circuit.

CA11-1002. Buckeye Retirement Co., LLC, LTD v. Shannell Walter, from Pulaski Circuit, Sixth Division.

CA11-1008. Buddy York Bail Bonds, Inc. v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CA11-1099. James Merryman et al. v. Debra Cargile, from Van Buren Circuit.

CA11-1244. Betty Berthelot v. Arkansas Department of Human Services, from Washington Circuit.

CA11-1253. Jessica Johnson and Andrew Evans v. Arkansas Department of Human Services, from Logan Circuit, Southern District.