

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MAY 16, 2012

JOHN MAUZY PITTMAN, JUDGE:

[CA11-52](#). Melissa Ann Young et al. v. Britte Smith, M.D., et al., from Washington Circuit. Remanded for supplementation of the record; rebriefing ordered. Hart and Wynne, JJ., agree.

[CA11-1072](#). Raju Patil, M.D. v. Gary Kevin Hoover, from Faulkner Circuit. Appeal dismissed. Gladwin and Brown, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CA11-982](#). Erin M. Fischer v. Damon L. Smith, from Sebastian Circuit, Fort Smith District. Reversed and remanded. Gruber and Glover, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CA11-1150](#). D & D Parks Construction Company, Inc. v. Charles Martin and Lauri Martin, from Baxter Circuit. Affirmed. Robbins and Gruber, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CA11-1108](#). Jodie M. Vaughn (now Kummer) v. Midland School District, Arkansas School Board Association, and Risk Management Resources, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Gruber, JJ., agree.

RITA W. GRUBER, JUDGE:

[CACR11-815](#). Justin Dees v. State of Arkansas, from Polk Circuit. Affirmed. Gladwin and Robbins, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA11-1306](#). Tom G. Clowers v. Linda J. Clowers Stickel, from Washington Circuit. Affirmed in part; reversed and remanded in part; reversed in part. Abramson and Hoofman, JJ., agree.

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RAYMOND R. ABRAMSON, JUDGE:

[CA11-1177](#). Elbert Lewis and Carolyn Lewis v. Arkansas Department of Human Services and Minor Child, from Pulaski Circuit, Eleventh Division. Affirmed. Glover and Hoofman, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR11-829](#). Timothy Allen Wells v. State of Arkansas, from Hot Spring Circuit. Rebriefing ordered. Vaught, C.J., and Brown, J., agree.

[E12-6](#). Sonya M. McAlister v. Artee Williams, Director, Department of Workforce Services, and Car-Mart, from the Arkansas Board of Review. Remanded for further findings. Robbins and Hoofman, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CA11-319](#). Metro Empire Land Association, LLC, Garland Trice, and Leoma Lambert v. Arlands, LLC, and Mark Wilcox as Commissioner of State Lands, from Jefferson Circuit. Affirmed. Glover and Abramson, JJ., agree.

[CA11-883](#). Michael Wilson v. Sara Powers, from Grant Circuit. Affirmed. Pittman and Wynne, JJ., agree.

[CA12-12](#). Jimmy Mann v. Arkansas Department of Human Services, from Mississippi Circuit, Osceola District. Affirmed. Robbins and Martin, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CA11-628](#). John L. Hansen v. Wells Fargo Bank, N.A., et al., from Pulaski Circuit, Fifth Division. Affirmed. Vaught, C.J., and Martin, J., 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).

E12-15. Connie Brown v. Director et al.

E12-16. Shaun Best v. Director et al.

E12-17. Kristy Jessen v. Director et al.

E12-18. Laura Smith v. Director et al.

E12-19. Stephene Williams v. Director et al.

E12-20. LaJuan Brown v. Director et al.

E12-21. Katorry F. Tyler v. Director et al.

E12-22. Robert Castleberry v. Director et al.

E12-23. Jeanice Luneau v. Director et al.

E12-24. Calvin P. Allen v. Director et al.

E12-25. Linda Hall v. Director et al.

E12-26. Gloria Price v. Director et al.

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PER CURIAM ORDERS

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

CA11-741. Charolette Ashley v. Richard H. Ashley and J.D. Ashley, Jr., in their capacity as personal representatives for the Estate of J.D. Ashley, Sr., deceased, from Pulaski Circuit, Sixteenth Division.

CA11-1099. James Merryman and Phyllis Merryman v. Debra Cargile, from Van Buren Circuit.

CACR11-16. Lori Ann Pamplin v. State of Arkansas, from Grant Circuit. Motion of Bob Frazier for attorney's fees is granted. Allowed \$1,600.00.

CACR11-585. Antonio Marcus Wright v. State of Arkansas, from Columbia Circuit. Motion of Sherri L. Latimer to be relieved as counsel for appellant is granted.

CACR11-878. Geralrod Kent Williams v. State of Arkansas, from Garland Circuit. Motion of Darren A. Gibbs for attorney's fees is granted. Allowed \$1,400.00.

CACR11-994. Joe McKinley Jones, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal is denied. Appellant's brief due June 15, 2012, final extension.

CACR11-1029. Robert Dale Mathis v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,600.00.

CACR11-1030. James D. Horton v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,400.00.

CACR11-1031. Frankie Lee Hatton v. State of Arkansas, from Lonoke Circuit. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,600.00.

CACR11-1073. Shavonna Gail Malone v. State of Arkansas, from Hot Spring Circuit. Motion of Bob Frazier for attorney's fees is granted. Allowed \$1,600.00.

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CACR12-260. Christian Leon Bustillos and Ivan Leon Bustillos v. State of Arkansas, from Lonoke Circuit. Appellants' joint motion to file a unified abstract is granted.

CA11-628. John L. Hansen v. Wells Fargo Bank, N.A., et al., from Pulaski Circuit, Fifth Division. Appellant's pro se motion for temporary restraining order and motion for court to declare rights status, etc., are denied.

CA11-780. Les Marlow et al. v. United Systems of Arkansas, Inc., et al., from Pulaski Circuit, First Division. Appellants' motion to remand or alternatively for brief time. Motion to remand is denied. Motion to supplement record with complaint, answer, and counterclaim is granted. Supplemental record due May 31, 2012. Appellants' brief due 10 days thereafter.

CA11-971. Annette Jackson-Lockhart v. Arkansas Department of Health, from Workers' Compensation Commission. Appellant's motion for reconsideration is denied.

CA11-1136. Bobby McMullen v. Healthcare Staffing Associates, Inc., et al., from Hot Spring Circuit. Appellant's motion to strike appellees' supplemental abstract is denied as to the first sentence. Granted as to the other three sentences.

CA11-1238. Guy Neal Wilkinson v. Pamela H. Smith, from Garland Circuit. Appellee's motion for sanctions is denied.

CA12-27. Earvin Davis, Jr. v. Action Mechanical et al., from Workers' Compensation Commission. Appellant's motion to dismiss direct appeal is granted. Cross-appeal remains active.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

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

CA11-843. Ray Baxter, P.A., and Union Standard Insurance Company v. Jimmy Ray Baxter and Second Injury Fund, from the Arkansas Workers' Compensation Commission.

CACR09-1250. Shannon D. Williams v. State of Arkansas, from Greene Circuit. Appellant's motion to remand to complete the record, stay the briefing schedule, and for additional brief time.

CACR11-18. Anthony Dewayne Price v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees.

CACR11-441. David Swarthout v. State of Arkansas, from Lonoke Circuit. Motion of Robert M. "Robby" Golden for attorney's fees.

CACR11-857. Jameko J. Williams v. State of Arkansas, from Ashley Circuit. Motion of Joseph P. Mazzanti, III, for attorney's fees.

CACR11-1004. Alton McLish v. State of Arkansas, from Pulaski Circuit, Fifth Division. Motion of Lott Rolfe, IV, for attorney's fees.

CACR11-1102. Ova Dean Summers v. State of Arkansas, from Crawford Circuit. Motion of David L. Dunagin for attorney's fees.

CACR11-1103. Carrie Johnson v. State of Arkansas, from Crawford Circuit. Motion of David L. Dunagin for attorney's fees.

CACR11-1111. Jackie Green v. State of Arkansas, from Lonoke Circuit. Motion of Robert M. "Robby" Golden for attorney's fees.

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MOTIONS SUBMITTED

CACR12-171. Conception Hicks v. State of Arkansas, from Grant Circuit. Resubmission of appellant's motion for substitution of counsel.

CACR12-302. Eric Eugene Mason v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion for access to trial transcript.

CA08-1351. Gary Bodiford, M.D. v. Joyce Street, LLC, from St. Francis Circuit. Bankruptcy status report.

CA12-40. Timothy Omejieke v. State of Arkansas, from Pulaski Circuit, Third Division. Appellee's motion to dismiss appeal.

CA12-59. Carolyn Palmer v. Leroy Palmer, from Pulaski Circuit, Fourteenth Division. Appellee's motion to correct the record and for brief time.

CA12-110. Loca Luna, LLC, et al. v. City of Little Rock Board of Adjustment et al., from Pulaski Circuit, Fifth Division. Appellees' motion to correct the record and stay the briefing period.

CA12-261. Davis Tillman et al. v. Kimberly Hughes et al., from Garland Circuit. Appellees' suggestion of bankruptcy.

CA12-261. Davis Tillman et al. v. Kimberly Hughes et al., from Garland Circuit. Appellants' motion to stay proceedings.

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SUBMISSIONS

CA11-714. Agracat, Inc., et al. v. AFS-NWA, L.L.C., from Washington Circuit. Argued orally.

CACR10-1144. Joseph Anthony Scamardo, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR11-235. Dewana Dione Runion v. State of Arkansas, from Drew Circuit.

CACR11-860. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CA11-846. Alvin M. Beck v. Inter City Transportation, Inc., from Pulaski Circuit, Seventeenth Division.

CA11-998. C.L. v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CA11-999. C.L. v. State of Arkansas, from Pulaski Circuit, First Division.

CA11-1065. Pearl Jenkins and David Ryan Donley v. APS Insurance, LLC, from Pulaski Circuit, Sixth Division.

CA11-1173. Jennifer Favano v. Sheila Hill Elliott, from Washington Circuit.

CA11-1174. Arlands, LLC v. MPC Color, Inc., et al., from Craighead Circuit, Western District.

CA11-1239. Wanda Louise Mills v. Arkansas State Highway and Transportation Department and Public Employees Claims Division, from Workers' Compensation Commission.

CA12-28. Hyde's Termite & Pest Control and Gallagher Bassett Service v. Jimmy D. Rogers, from Workers' Compensation Commission.

CA12-130. Misty Reed v. Arkansas Department of Human Services and Minor Children, from Craighead Circuit, Western District.

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SUBMISSIONS

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

E11-198. Guy D. Czajka v. Director et al.

E12-39. Brett Cummins v. Director et al.

E12-40. Keith Ballard v. Director et al.

E12-41. Celia Umholtz v. Director et al.

E12-42. Faye Tucker v. Director et al.

E12-43. Randall Nipper v. Director et al.

E12-44. The Area Connection v. Director et al.

E12-45. Rochelle Jones v. Director et al.

E12-46. Chris Bailey v. Director et al.

E12-47. Jim Snell v. Director et al.

E12-48. Jermaine Smith v. Director et al.

E12-49. Rhonda Beard v. Director et al.