

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 12, 2012

LARRY D. VAUGHT, CHIEF JUDGE:

[CACR11-1119](#). Eugene Thomas III v. State of Arkansas, from Ashley Circuit. Affirmed. Robbins and Abramson, JJ., agree.

[CA12-317](#). Charlotte Cammack v. Arkansas Department of Human Services and Minor Children, from Craighead Circuit, Western District. Affirmed; motion to withdraw granted. Robbins and Abramson, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR11-684](#). Bobby Earl Richard v. State of Arkansas, from Desha Circuit. Reversed and remanded. Gruber and Hoofman, JJ., agree.

[CA11-1118](#). Kevin Horton and Laurie Horton v. Brent Taylor, Robin Taylor, et al., from Searcy Circuit. Affirmed. Gruber and Hoofman, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CACR11-803](#). Scott David Ashcraft v. State of Arkansas, from Grant Circuit. Motion to withdraw denied; rebriefing ordered. Gladwin and Martin, JJ., agree.

[CA12-78](#). Clayton R. Hudgens v. AID Temporary Services, Inc., American Home Assurance Company, and Chartis Insurance Company, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Martin, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR11-813](#). Deondrae R. Sims v. State of Arkansas, from Jefferson Circuit. Affirmed. Hart and Martin, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CACR12-64](#). Butch Lee Walchli v. State of Arkansas, from Sebastian Circuit, Greenwood District. Affirmed. Wynne and Glover, JJ., agree.

[CA11-601](#). Summer Harrison (formerly Phillips) v. Lee Phillips, Dale Phillips, and Carol Phillips, from Faulkner Circuit. Reversed and dismissed. Vaught, C.J., and Abramson, J., agree.

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JOHN B. ROBBINS, JUDGE: (continued)

[CA12-121](#). St. Edward Mercy Medical Center and Sisters of Mercy Health System v. Leanna Chrisman, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Abramson, J., agree.

ROBIN F. WYNNE, JUDGE:

[CACR11-917](#). William Johnson v. State of Arkansas, from Craighead Circuit, Western District. Affirmed. Brown, J., agrees. Glover, J., concurs.

[CA12-292](#). Billy Bowman and Darla Premeaux v. Arkansas Department of Human Services and Minor Children, from Franklin Circuit, Northern District. Affirmed; motions to withdraw granted. Glover and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CA12-281](#). Lisa Lowery v. Arkansas Department of Human Services and Minor Children, from Clark Circuit. Affirmed. Pittman and Hoofman, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CACR11-1101](#). Myrickki McClendon v. State of Arkansas, from Pulaski Circuit, First Division. Reversed and remanded. Hoofman and Brown, JJ., agree.

[CA12-282](#). Fiapopo Apelu v. Arkansas Department of Human Services and Minor Child, from Pulaski Circuit, Eighth Division. Affirmed. Wynne and Brown, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CA12-291](#). Erica Sanderson v. Arkansas Department of Human Services and A.M., Minor Child, from Pulaski Circuit, Eighth Division. Affirmed. Vaught, C.J., and Robbins, J., agree.

DOUG MARTIN, JUDGE:

[CA11-873](#). Boeuf River Farms v. Larry Browder and Brian Browder, from Ashley Circuit. Affirmed. Hart and Gladwin, JJ., agree.

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DOUG MARTIN, JUDGE: (continued)

[CA11-1175](#). Betty Tiner v. William Joe “Bill” Tiner, from Saline Circuit. Reversed and remanded in part; affirmed in part. Pittman, Robbins, and Hoofman, JJ., agree. Abramson and Brown, JJ., dissent.

CLIFF HOOFFMAN, JUDGE:

[CA11-1173](#). Jennifer Favano v. Sheila Hill Elliott, from Washington Circuit. Reversed and dismissed. Vaught, C.J., and Pittman, Hart, and Robbins, JJ., agree. Gruber, Glover, Abramson, and Brown, JJ., dissent.

WAYMOND M. BROWN, JUDGE:

[CACR11-1258](#). Robert Lee Henderson v. State of Arkansas, from Miller Circuit. Affirmed. Wynne 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).

E12-136. Linda Morrison v. Director et al.

E12-137. Vickie Stine v. Director et al.

E12-138. Acu Pac Inc. v. Director et al.

E12-139. Autumn Roberson v. Director et al.

E12-140. Shawn Booker v. Director et al.

E12-141. Shawn Clough v. Director et al.

E12-142. Joseph Phillips v. Director et al.

E12-143. Charles Rubly v. Director et al.

E12-144. Franklin Fry v. Director et al.

E12-145. Joe Barefield v. Director et al.

E12-146. Susan Armstrong v. Director et al.

E12-147. Lance Scruggs v. Director et al.

E12-148. Gary Tosh v. Director et al.

E12-149. Arnetta Pritchard v. Director et al.

E12-150. Lawrence Dade III v. Director et al.

E12-151. Shanta Steele v. Director et al.

E12-152. At Home Care v. Director et al.

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- E12-153. Sharon Mays v. Director et al.

- E12-154. John Bolden v. Director et al.

- E12-155. Jeri R. Martin v. Director et al.

- E12-156. Barbara Johnson v. Director et al.

- E12-157. Brice Russell v. Director et al.

- E12-158. Phillip Cone v. Director et al.

- E12-159. Carolyn Langston v. Director et al.

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PER CURIAM ORDERS

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

[CACR11-1249](#). Jomey Alexander Robelo v. State of Arkansas, from Saline Circuit. *See* supplemental opinions on denial of rehearing.

CACR11-266. Donald Lewis Burton, Sr. v. State of Arkansas, from Benton Circuit. Motion of Matthew J. McWilliams for attorney's fees is granted. Allowed \$1,350.00.

CACR11-641. Jeremy J. Reynolds v. State of Arkansas, from Conway Circuit. Motion of Brandon Harrison for attorney's fees is granted. Allowed \$1,300.00.

CACR11-1093. Donnell Robinson v. State of Arkansas, from Chicot Circuit. Appellee's motion to dismiss appeal is granted.

CACR11-1233. James William Morrison v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Kellie M. Emerson for attorney's fees is granted. Allowed \$1,300.00.

CACR11-1278. Carl Hubbard v. State of Arkansas, from Benton Circuit. Motion of Lee D. Short for attorney's fees is granted. Allowed \$1,300.00.

CACR12-165. Carletus Adams v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Heather Martin-Herron for attorney's fees is granted. Allowed \$1,300.00.

CACR12-524. Aaron Anthony Flemons v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion for transcript is denied.

CA11-1290. New Balance Athletic Shoe, Inc. v. Whitney Stagg and Jennifer Vaughn, from Washington Circuit. Appellant's motion for stay of appeal pending approval of settlement agreement is granted. Glover and Martin, JJ., not participating.

CA12-148. Mercy Health System of Northwest Arkansas v. Dr. Lisa McGraw, from Benton Circuit. Appellee's motion for additional brief time is granted. Glover, J., not participating.

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PER CURIAM ORDERS

CA12-598. Laura B. Rose Shahsavari et al. v. Mary Shellnut Rose, from Pulaski Circuit, Sixth Division. Appellants' motion and amended motion to complete the record are granted.

CA12-663. Gail Parkerson v. Ron Lewsader Constr., LLC, et al., from Garland Circuit. Appellant's motion to correct the record is denied.

CA12-663. Gail Parkerson v. Ron Lewsader Constr., LLC, et al., from Garland Circuit. Appellees' motion for attorney's fees is denied.

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MOTIONS SUBMITTED

CACR11-912. Ashley Haskett v. State of Arkansas, from Jefferson Circuit. Motion of Gary W. Potts for costs and attorney's fees.

CACR11-913. Mandrake Holmes v. State of Arkansas, from Jefferson Circuit. Motion of Gary W. Potts for costs and attorney's fees.

CACR12-227. D'Anthony Williams v. State of Arkansas, from Jefferson Circuit. Motion of Gary W. Potts for costs and attorney's fees.

CACR12-228. Timothy Smith v. State of Arkansas, from Jefferson Circuit. Motion of Gary W. Potts for costs and attorney's fees.

CA11-915. Esther Edgin, Mary McCollough, et al. v. Central United Life Insurance Company, from Independence Circuit. Joint motion to reschedule oral argument.

CA12-594. Linda Sue Lee v. Sheryln E. Jones, from Perry Circuit. Appellant's motion to consolidate CA12-594 and CA12-596.

CA12-594. Linda Sue Lee v. Sheryln E. Jones, from Perry Circuit. Motion of William K. Moritz to withdraw as counsel for appellant.

CA12-596. Linda Sue Lee v. Sherlyn E. Jones, from Perry Circuit. Appellant's motion to consolidate CA12-596 and CA12-594.

CA12-596. Linda Sue Lee v. Sherlyn E. Jones, from Perry Circuit. Motion of William K. Moritz to withdraw as counsel for appellant.

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SUBMISSIONS

CACR11-1069. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR11-1105. Jose Barrera v. State of Arkansas, from Crawford Circuit.

CACR11-1224. John Lewis v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR11-1261. Roy Dean Spratt v. State of Arkansas, from Desha Circuit.

CACR11-1277. James Wayne Miller v. State of Arkansas, from Drew Circuit.

CACR12-69. Carrie Dail v. State of Arkansas, from Poinsett Circuit.

CA11-460. S.M.C. v. State of Arkansas, from Grant Circuit.

CA11-1117. Dave Eusanio et al. v. Dante Tippin, from Jefferson Circuit.

CA11-1230. Sarah Jean Madden v. Aaron Madden, from Sebastian Circuit, Fort Smith District.

CA11-1231. Sarah Jean Cole Madden v. David Cole, from Sebastian Circuit, Fort Smith District.

CA11-1247. Kay Houchins v. Home Care Professionals of Arkansas, Inc., from Pulaski Circuit, First Division.

CA12-17. Carolyn Glass v. Saline County Medical Center, from Saline Circuit.

CA12-198. Lucas Erp v. Union Drilling, Inc., from Workers' Compensation Commission.

CA12-214. Ronnie Rendell v. Arkansas Children's Hospital, from Workers' Compensation Commission.

CA12-215. Warren Unilube, Inc., et al. v. John M. Stanton, from Workers' Compensation Commission.

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SUBMISSIONS

CA12-220. Mildred Drake v. Sheridan School District, from Workers' Compensation Commission.

CA12-226. Weld Rite, Inc. v. Mark Dungan, from Workers' Compensation Commission.

CA12-285. Tammy Belcher v. River Valley Rehabilitation, from Workers' Compensation Commission.

CA12-310. Andrea Churchill and Daniel Churchill v. Arkansas Department of Human Services, from Sharp Circuit.

CA12-388. B.H. v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.

CA12-466. Nina Gutierrez v. Arkansas Department of Human Services, from Lonoke Circuit.

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SUBMISSIONS

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

E12-184. Mary Harrod v. Director et al.

E12-185. Barbara Jan Allen v. Director et al.

E12-186. Gabrielle Miller v. Director et al.

E12-187. James Eidson v. Director et al.

E12-188. Don R. Bass v. Director et al.

E12-189. Arnett Early v. Director et al.

E12-190. David Carter v. Director et al.

E12-191. Byron Turner v. Director et al.

E12-192. Rolling Hills Nursing Center v. Director et al.

E12-193. Mechanical Fisher v. Director et al.

E12-194. Gregory Johnson v. Director et al.

E12-195. Reba Mabry v. Director et al..