

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 26, 2012

LARRY D. VAUGHT, CHIEF JUDGE:

[CACR12-69](#). Carrie Dail v. State of Arkansas, from Poinsett Circuit. Rebriefing ordered. Glover and Martin, JJ., agree.

[CA12-198](#). Lucas Erp v. Union Drilling, Inc., and AIG Claims Services, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Glover and Martin, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA11-460](#). S.M.C. v. State of Arkansas, from Grant Circuit. Affirmed. Gladwin and Robbins, JJ., agree.

JOSEPHINE LINKER HART, JUDGE:

[CA12-134](#). Sarah Ann Burns v. Heath Aaron Burns, from Saline Circuit. Affirmed. Wynne and Gruber, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR11-1277](#). James Wayne Miller v. State of Arkansas, from Drew Circuit. Affirmed. Pittman and Robbins, JJ., agree.

[CA11-1117](#). Dave Eusanio v. Dante Tippin, from Jefferson Circuit. Remanded for supplemental addendum. Pittman and Robbins, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CA12-17](#). Carolyn Glass as the Administrator of the Estate of Bradley A. Beal, Deceased v. Saline County Medical Center d/b/a Saline Memorial Hospital d/b/a Med Tran Ambulance Service, and Continental Casualty Insurance Co., from Saline Circuit. Affirmed. Pittman and Gladwin, JJ., agree.

[CA12-226](#). Weld Rite, Inc. v. Mark Dungan, from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Gladwin, JJ., agree.

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ROBIN F. WYNNE, JUDGE:

[CA12-285](#). Tammy Belcher v. River Valley Health & Rehab and Firstcomp Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Hart and Gruber, JJ., agree.

RITA W. GRUBER, JUDGE:

[CA11-1231](#). Sarah Jean Cole (Madden) v. David Cole, from Sebastian Circuit, Fort Smith District. Affirmed. Hart and Wynne, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA12-215](#). Warren Unilube, Inc., Pennsylvania Manufacturers' Association Insurance Company & Gallagher Bassett Services, Inc. v. John M. Stanton, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Martin, J., agree.

[CA12-310](#). Andrea Churchill and Daniel Churchill v. Arkansas Department of Human Services and Minor Children, from Sharp Circuit. Affirmed. Vaught, C.J., and Martin, J., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CA12-220](#). Mildred Drake v. Sheridan School District, Risk Management, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Rebriefing ordered. Hoofman and Brown, JJ., agree.

[CA12-388](#). B.H.1, Minor v. Arkansas Department of Human Services and B.H.2., Minor, from Sebastian Circuit, Fort Smith District. Affirmed. Hoofman and Brown, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR11-1105](#). Jose Barrera v. State of Arkansas, from Crawford Circuit. Affirmed. Vaught, C.J., and Glover, J., agree.

[CACR11-1133](#). Claude C. Smith v. State of Arkansas, from Miller Circuit. Affirmed. Hart and Gladwin, JJ., agree.

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DOUG MARTIN, JUDGE: (continued)

[CA11-1189](#). Joy Ann Richardson v. Jim Brown, from Faulkner Circuit. Affirmed in part; dismissed in part. Vaught, C.J., and Glover, J., agree.

CLIFF HOOFFMAN, JUDGE:

[CACR11-1069](#). Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Abramson and Brown, JJ., agree.

[CA12-438](#). Ricky Johnson, Jr. v. Arkansas Department of Human Services, from Craighead Circuit, Western District. Affirmed. Abramson and Brown, JJ., agree.

[E11-284](#). Vickie L. Blaylock v. Director, Department of Workforce Services and Walmart, from the Arkansas Board of Review. Affirmed. Abramson and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CA12-214](#). Ronnie Rendell v. Arkansas Children's Hospital, Risk Management Resources, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Abramson and Hoofman, 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).

- E12-184. 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.

ARKANSAS COURT OF APPEALS

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PER CURIAM ORDERS

CACR11-597. Stephanie Denise Clark v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,300.00.

CACR11-641. Jeremy J. Reynolds v. State of Arkansas, from Conway Circuit. Amended motion of Brandon J. Harrison to be relieved as counsel for appellant is granted.

CACR11-747. Marcus W. Fields v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Shana R. Woodard for reconsideration of denial of motion for attorney's fees is denied.

CACR11-875. Donald Wade Hampton v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,300.00.

CACR11-1258. Robert Lee Henderson v. State of Arkansas, from Miller Circuit. Motion of Phillip A. McGough for attorney's fees is granted. Allowed \$1,600.00.

CACR12-399. Rodney Scott Porta v. State of Arkansas, from Crawford Circuit. Appellant's motion to correct the record is denied.

CACR12-664. Eric L. Kennedy v. State of Arkansas, from Faulkner Circuit. Appellant's motion to appoint Charles D. Hancock as appellate counsel for Eric Kennedy and to consolidate the trial court cases for the purpose of appeal is granted.

CA11-1117. Dave Eusanio v. Dante Tippin, from Jefferson Circuit. Appellant's motion for oral argument is denied.

CA11-1189. Joy Ann Richardson v. Jim Brown, from Faulkner Circuit. Appellee's motion to dismiss portion of appellant's appeal for failure to file notice of appeal is granted. *See* opinion this date.

CA12-44. Fayetteville Real Estate & Development, LLC v. Bradley D. Norwood and Christy A. Norwood, from Washington Circuit. Appellees' motion for taxation of costs. Costs to be assessed on mandate.

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PER CURIAM ORDERS

CA12-216. Vasundara V. Vardan et al. v. Tom Pagnozi, from Washington Circuit. Appellants' motion for oral argument is denied. Vaught, C.J., and Martin, J., not participating.

CA12-261. Davis Tillman et al. v. Kimberly Hughes et al., from Garland Circuit. Bankruptcy status report due December 26, 2012.

CA12-450. George Hobson et al. v. Entergy Arkansas, Inc., from Pulaski Circuit, Sixth Division. Appellants' motion to supplement the record is granted. Record deemed supplemented.

E12-797. Kelly Price v. Director et al., from Board of Review. Pro se motion to file belated appeal is denied.

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MOTIONS SUBMITTED

CACR11-1119. Eugene Thomas III v. State of Arkansas, from Ashley Circuit. Motion of Joseph P. Mazzanti, III, for attorney's fees.

CACR12-70. Reco Dantae Givan v. State of Arkansas, from Faulkner Circuit. Appellant's motion to file belated brief.

CACR12-465. William S. Fisher v. State of Arkansas, from Garland Circuit. Appellant's motion to remand to settle the record and stay the briefing schedule.

CA12-138. Donna Deering et al. v. Supermarket Investors, Inc., from Pulaski Circuit, Sixth Division. Appellants' motion for oral argument.

CA12-139. Gross & Janes Company et al. v. Cedric Brooks, from Pulaski Circuit, Second Division. Appellee's motion to file belated brief.

CA12-432. Blair Stautzenberger, Guardian of the Estate of C. Elizabeth Osburne v. M. Duane Stautzenberger et al., from Benton Probate. Appellees' motion to strike portions of appellants' reply brief.

CA12-470. The Longing Family Revocable Living Trust et al. v. Danny Snowden et al., from Van Buren Circuit. Appellants' motion for leave to file substituted abstract and brief.

CA12-610. Wesleyan Corporation v. Anderson Electric of Pine Bluff, Inc., from Jefferson Circuit. Appellee's motion to supplement the record and stay time to file brief.

CA12-769. Stephen David Davenport v. Katherine Ann Davenport Uselton, from Sebastian Circuit, Greenwood District. Motion of Rex W. Chronister to withdraw as counsel for appellee.

CA12-772. Jonathan Murphy, d/b/a Murphy Trucking, et al. v. Bunge North America, Inc., et al., from Jefferson Circuit. Appellants' motion to seal portions of record.

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MOTIONS SUBMITTED

E12-824. Tekeshia Ventress v. Director et al., from Board of Review. Motion for belated appeal.

E12-832. Gloria Cain v. Director et al., from Board of Review. Motion for belated appeal.

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SUBMISSIONS

CACR11-415. Edward Anthony Liggins v. State of Arkansas, from Craighead Circuit, Western District.

CACR11-704. Wesley Wilson v. State of Arkansas, from Crittenden Circuit.

CACR11-1240. Gary Don Wallace v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR12-25. Tracy M. Standridge v. State of Arkansas, from Baxter Circuit.

CACR12-93. Jeremy McClard v. State of Arkansas, from Hot Spring Circuit.

CACR12-123. Joshua Roger Keck v. State of Arkansas, from Washington Circuit.

CACR12-132. Phetphouthone Lee Vilayvanh v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR12-136. Reginald Muldrew v. State of Arkansas, from Garland Circuit.

CACR12-274. Dennis Andrews v. State of Arkansas, from Jackson Circuit.

CA11-726. Roselyn G. Gira Living Revocable Trust v. Frank Bryant, Alice Bryant, and Bonnie Kelley, from Newton Circuit.

CA11-993. Ben S. Brann, III, et al. v. Buddy Hulett et al., from Jackson Circuit.

CA11-1200. Paul Dean Hankins v. Sally Austin et al., from Izard Circuit.

CA12-22. Robert Sullivan, Mayor, et al. v. Mary Coney, from White Circuit.

CA12-105. Debra Sue Atchison v. Thomas Arthur Atchison, from Faulkner Circuit.

CA12-117. Gabino Acuna v. Randall Watkins et al., from Scott Circuit.

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SUBMISSIONS

CA12-126. Bob R. Howard et al. v. Arkansas Cama Technology et al., from Franklin Circuit, Northern District.

CA12-143. Janann Johnson v. Windstream Communications, from Pulaski Circuit, Third Division.

CA12-174. Ozark Capitol Corporation v. Mary A. Pullen, from Franklin Circuit, Northern District.

CA12-193. Keith R. Crosby v. Eaton Corporation et al., from Workers' Compensation Commission.

CA12-376. James Cowan et al. v. Arkansas Department of Human Services et al., from Craighead Circuit, Western District.

CA12-422. Roberta Gibson v. Wal-Mart, Inc., et al., from Workers' Compensation Commission.

CA12-526. Michelle Ogden et al. v. Arkansas Department of Human Services et al., from Madison Circuit.

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SUBMISSIONS

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

E12-221. James Myers III v. Director et al.

E12-222. John Wooten v. Director et al.

E12-223. Annette Kearney v. Director et al.

E12-224. Darrell Boling v. Director et al.

E12-225. Darstarta Martin v. Director et al.

E12-226. Jeanne Moreno v. Director et al.

E12-227. Tim Carrow v. Director et al.

E12-228. Douglas Gay v. Director et al.

E12-229. Karen Stahal v. Director et al.

E12-230. Patrice McDaniel v. Director et al.

E12-231. Keenan Johnson v. Director et al.

E12-232. Cynthia Shoup v. Director et al.

E12-235. Gerardo Gonzalez v. Director et al.

E12-236. Lena Willis v. Director et al.

E12-237. Franklin Hansberry v. Director et al.

E12-239. Dicky Simpson v. Director et al.

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SUBMISSIONS

E12-240. Calvin Colbert v. Director et al.

E12-241. Carol Price v. Director et al.

E12-242. Sandra Sherman v. Director et al.

E12-243. Sharon Beard v. Director et al.

E12-244. Tanisha N. Weatherspoon v. Director et al.

E12-245. Craig Marheineke v. Director et al.