

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012

LARRY D. VAUGHT, CHIEF JUDGE:

[CACR11-791](#). Edward Vincent Smith v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Wynne and Brown, JJ., agree.

[CA12-486](#). Michelle Ward v. Arkansas Department of Human Services and Minor Children, from Lonoke Circuit. Affirmed; motion granted. Wynne and Brown, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA11-1238](#). Guy Neal Wilkinson v. Pamela H. Smith, from Garland Circuit. Appeal dismissed. Abramson and Martin, JJ., agree.

[E12-9](#). Christy S. Pepper v. Director, Department of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Abramson and Martin, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR12-409](#). T.S.C. v. State of Arkansas, from Lonoke Circuit. Affirmed. Glover, J., agrees. Gruber, J., concurs.

[CA12-59](#). Carolyn Palmer v. Leroy Palmer, from Pulaski Circuit, Fourteenth Division. Affirmed. Gruber and Glover, JJ., agree.

JOHN B. ROBBINS, JUDGE:

[CACR12-467](#). Jason Winston v. State of Arkansas, from Crittenden Circuit. Affirmed. Abramson and Hoofman, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CACR12-71](#). John Wesley Magness v. State of Arkansas, from Van Buren Circuit. Affirmed. Vaught, C.J., and Brown, J., agree.

[CA11-1237](#). Harvest Construction General Contracting, Inc., Matthew T. Mabe, and Laura Mabe v. Latco Construction, Inc., from Washington Circuit. Affirmed. Vaught, C.J., and Brown, J., agree.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012

ROBIN F. WYNNE, JUDGE: (continued)

[CA12-54](#). Lori Withrow, Greg Fess, and Larry Morton v. Stephen C. Brissette, Executor of the Estate of Paul Brissette, Jr., Deceased, from Pulaski Circuit, Fifth Division. Affirmed. Vaught, C.J., and Brown, J., agree.

DAVID M. GLOVER, JUDGE:

[E12-177](#). Vernia A. Valentine v. Director, Department of Workforce Services and Logan Insurance Agency, from the Arkansas Board of Review. Affirmed. Gladwin and Gruber, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CACR12-320](#). Cameron L. Smith v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Pittman and Martin, JJ., agree.

[CA12-110](#). Loca Luna, LLC, and Wilkes-Abernathy, LLC v. Board of Adjustment, City of Little Rock, W. Ross McCain, Greens Investments, LLC, and B&B Taco Garage, LLC, from Pulaski Circuit, Sixth Division. Rebriefing ordered. Pittman and Martin, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR12-394](#). Lonnie Ray Johnson v. State of Arkansas, from Sevier Circuit. Affirmed. Pittman and Abramson, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CACR11-1291](#). Samuel Christopher Lands v. State of Arkansas, from Garland Circuit. Affirmed. Vaught, C.J., and Robbins, J., agree.

[CA11-1136](#). Bobby McMullen and Estate of William E. McMullen, Deceased v. Healthcare Staffing Associates, Inc., and Arkansas Elder Outreach of Little Rock, Inc., from Hot Spring Circuit. Reversed and remanded. Vaught, C.J., and Robbins, J., agree.

WAYMOND M. BROWN, JUDGE:

[CACR12-705](#). Edward Vincent Smith v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Vaught, C.J., and Wynne, J., agree.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012

WAYMOND M. BROWN, JUDGE: (continued)

[CA12-192](#). Capitol Zoning District Commission v. B. Patrick Cowan, from Pulaski Circuit, Fifth Division. Reversed. Wynne and Hoofman, JJ., agree.

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).

- E12-233. James Mason v. Director et al.
- E12-234. Charles Davis v. Director et al.
- E12-246. Bonnie Thompson v. Director et al.
- E12-247. Sue Sivers v. Director et al.
- E12-272. Sarah Tinnel v. Director et al.
- E12-273. Southern Refrigerated Transport v. Director et al.
- E12-274. Calvin W. Ladd v. Director et al.
- E12-275. Reginald Rounds v. Director et al.
- E12-276. Lighthouse Career Academy v. Director et al.
- E12-277. Mike Harris Racing v. Director et al.
- E12-278. Kevin McIntosh v. Director et al.
- E12-279. Torrence Rainey v. Director et al.
- E12-280. Gwen Bell v. Director et al.
- E12-281. Linda Stancil v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012

- E12-282. William Stoval v. Director et al.
- E12-283. Berthola Palmer v. Director et al.
- E12-284. Brenda Depriest v. Director et al.
- E12-285. Aaron Farrier v. Director et al.
- E12-286. Urology Associates of NW AR v. Director et al.
- E12-288. Kimsey Harper v. Director et al.
- E12-289. Danny Green v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012
PER CURIAM ORDERS

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

CACR11-1101. Myrickki McClendon v. State of Arkansas, from Pulaski Circuit, First Division.

CACR11-1133. Claude C. Smith v. State of Arkansas, from Miller Circuit.

CA12-27. Earvin Davis, Jr. v. Action Mechanical, CNA Insurance Company, and Second Injury Fund, from Workers' Compensation Commission.

CA12-438. Ricky Johnson, Jr. v. Arkansas Department of Human Services, from Craighead Circuit, Western District.

CACR11-813. Deondrae R. Sims v. State of Arkansas, from Jefferson Circuit. Motion of Jimmy C. Morris, Jr. for attorney's fees is granted. Allowed \$1,600.00.

CACR11-1069. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,400.00.

CACR11-1105. Jose Barrera v. State of Arkansas, from Crawford Circuit. Motion of David L. Dunagin for attorney's fees is granted. Allowed \$1,500.00.

CACR12-9. Calvin Lewis Edwards v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David O. Bowden for attorney's fees is granted. Allowed \$1,600.00.

CACR12-25. Tracy M. Standridge v. State of Arkansas, from Baxter Circuit. Motion of John Ogles for attorney's fees is granted. Allowed \$1,600.00.

CACR12-136. Reginald Muldrew v. State of Arkansas, from Garland Circuit. Motion of Douglas D. Ennis for attorney's fees is granted. Allowed \$1,600.00.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 31, 2012

PER CURIAM ORDERS

CACR12-140. Nicholas V. Pfeifer v. State of Arkansas, from Yell Circuit, Northern District. Motion of Hugh R. Laws for attorney's fees is granted. Allowed \$1,600.00.

CACR12-343. Rosa Elia Gutierrez v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellee's motion to dismiss appeal is granted.

CA11-840. Arkansas Elder Outreach of Little Rock, Inc. v. Anniebelle Maness, Individually and as Special Administrator of the Estate of David Sipes, Deceased et al., from Poinsett Circuit. Appellant's motion to stay appeal pending settlement and dismissal is granted.

CA11-1015. Smith Land Company, LLC et al. v. John Hancock Mutual Life Ins. Co., from Columbia Circuit. Appellants' motion for release of supersedeas bond is granted.

CA11-1290. New Balance Athletic Shoe, Inc. v. Whitney Stagg and Jennifer Vaughn, from Washington Circuit. Appellant's status report and motion to continue stay of briefing pending settlement is granted. Glover, J., not participating.

CA12-362. Sherall McCall et al. v. Donna Kaye McCall Grunwald et al., from Carroll Circuit, Western District. Appellants' motion to file supplemental addendum with the reply brief is granted.

CA12-477. Christi Carr v. Arkansas Department of Human Services and Minor Children, from Benton Circuit. Appellees' joint motion to strike document from appellant's addendum is granted.

CA12-598. Laura B. Rose (now Shahsavari) et al. v. Mary Shellnut Rose, from Pulaski Circuit, Sixth Division. Appellants' motion to accept belated supplemental record and motion to file a supplemental addendum is granted.

CA12-648. Warren School District v. Robert A. Avery, from Bradley Circuit. Appellant's motion to file belated brief is granted.

CA12-648. Warren School District v. Robert A. Avery, from Bradley Circuit. Appellee's motion to dismiss appeal is denied.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF OCTOBER 31, 2012

PER CURIAM ORDERS

CA12-656. City of Jacksonville, Arkansas v. Graham Dewitt Nixon, from Pulaski Circuit, Fifth Division. Appellant's motion and amended motion for writ of certiorari to complete and correct the record and stay the briefing schedule is granted.

CA12-756. Fed Ex National et al. v. Steven Owens, from Workers' Compensation Commission. Appellants' motion to extend stay of appeal is granted.

CA12-853. Michael Richardson v. Simpsons Buy & Sell, Inc., from Workers' Compensation Commission. Pro se petition to proceed in forma pauperis is denied.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012
MOTIONS SUBMITTED

PETITION FOR REHEARING:

CA11-1246. McVesting, LLC v. Heirs of Macie McGoon and Cecil R. Curren, Sr., from Van Buren Circuit.

CACR11-704. Wesley Wilson v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees.

CACR11-935. John William Wakeley v. State of Arkansas, from Benton Circuit. Appellant's motion to admit a belated supplement to the record.

CACR11-1249. Jomey Alexander Robelo v. State of Arkansas, from Saline Circuit. Motion of William O. "Bill" James, Jr., for attorney's fees.

CACR12-563. Rachael N. Sanders v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellee's motions to dismiss appeal and for additional brief time.

CACR12-564. Chad Edward Malcum v. State of Arkansas, from Pulaski Circuit, Fifth Division. Appellant's petition for a writ of mandamus and request for brief time to be stayed pending compliance with the writ.

CACR12-782. Tyrone James Campbell v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motions of Mosemarie Dora Boyd to withdraw as counsel for appellant and to be appointed as counsel for appellant.

CACR12-782. Tyrone James Campbell v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion for leave to proceed in forma pauperis.

CACR12-896. Corey Wayne Watkins v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Joseph C. Self to withdraw as counsel for appellant.

CA11-1229. Rodney D. Kankey v. State of Arkansas, from Fulton Circuit. Appellant's motion to file belated supplemental addendum.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012
MOTIONS SUBMITTED

CA11-1243. Ryan Roggasch et al. v. Tasha Sims, from Saline Circuit. Appellees' motion to stay briefing until bankruptcy court has lifted stay.

CA12-143. Janann Johnson v. Windstream Communications, from Pulaski Circuit, Third Division. Appellee's motion for costs for preparation of supplemental abstract and addendum.

CA12-453. Deborah A. Andrews v. John A. Burnett, from Saline Circuit. Appellant's motion for additional brief time.

CA12-476. Amanda Marie Scudder v. Raylinia Ramsey, from Jackson Circuit. Appellee's petition for writ of certiorari to complete the record.

CA12-522. Ida King et al. v. Leslie Jackson and Karen Jackson, from Pulaski Circuit, Fifth Division. Appellees' motion to file belated brief.

CA12-561. Robert S. Oliver et al. v. First National Title Company, from Benton Circuit. Appellee's motion to supplement the record and stay briefing.

E12-1019. Susan Hasson v. Director et al., from Board of Review. Motion to file belated appeal.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012
SUBMISSIONS

CA12-278. L.M.C. v. State of Arkansas, from Little River Circuit. Argued orally.

CACR12-95. Samuel P. Moore v. State of Arkansas, from Pulaski Circuit, First Division.

CACR12-171. Conception Hicks v. State of Arkansas, from Grant Circuit.

CACR12-223. Quinton Dewayne Harris v. State of Arkansas, from Arkansas Circuit, Southern District.

CACR12-260. Christian Leon Bustillos and Ivan Leon Bustillos v. State of Arkansas, from Lonoke Circuit.

CACR12-305. Leslie John Harris v. State of Arkansas, from Clark Circuit.

CACR12-354. Eva Etris v. State of Arkansas, from Crawford Circuit.

CACR12-361. Jamarcus Risper v. State of Arkansas, from Phillips Circuit.

CACR12-423. Michael Everett Ball v. State of Arkansas, from Washington Circuit.

CACR12-443. Gregory Donzell Reynolds v. State of Arkansas, from Jefferson Circuit.

CACR12-542. Taylor Larrick Ward v. State of Arkansas, from Washington Circuit.

CACR12-572. Justin Williams v. State of Arkansas, from Crittenden Circuit.

CA12-364. Shannon D. Woodson v. Sandra Gail Woodson, from Cleburne Circuit.

CA12-371. Robert Harvill v. Dale Bridges and Tammy Bridges, from Saline Circuit.

CA12-389. Braidy Varnell et al. v. City of Bald Knob, Arkansas, et al., from White Circuit.

CA12-393. Jan Henderson v. Dan Harbison, from Van Buren Circuit.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012
SUBMISSIONS

CA12-405. Joanie Harp v. Security Credit Services, LLC, from Pulaski Circuit, Sixth Division.

CA12-410. Luke Szabo v. Lesli Rutland Womack, from Benton Circuit.

CA12-414. William E. Black v. Benton County Circuit Court, from Benton Circuit.

CA12-446. Freddie Wayne Sammons, Sr., et al. v. Seeco, Inc., from Yell Circuit, Southern District.

CA12-449. Deborah A. Dobbs v. Discover Bank, from Pulaski Circuit, Sixth Division.

CA12-473. Danny Dale Kelley v. Carolyn Kelley Taylor, from Cleveland Circuit.

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

E12-312. Sharon Ross v. Director et al.

E12-313. Ronald Cannon v. Director et al.

E12-314. Scott Keen v. Director et al.

E12-315. Sue Castleberry v. Director et al.

E12-316. John Johnson v. Director et al.

E12-318. Cynthia Williams v. Director et al.

E12-319. Denny Sharp v. Director et al.

E12-320. Dana Pruitt v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF OCTOBER 31, 2012
SUBMISSIONS

E12-321. Robin Hames v. Director et al.

E12-322. Elizabeth Hensley v. Director et al.

E12-323. Marcus Grisby v. Director et al.

E12-324. Gary Tucker v. Director et al.

E12-325. Curtis Landrum v. Director et al.

E12-326. Larry Ross v. Director et al.

E12-327. Evelyn Banks v. Director et al.

E12-328. Willie White v. Director et al.

E12-329. Tiffany Bryant v. Director et al.

E12-330. John McCuiston v. Director et al.

E12-331. Donnie Scott v. Director et al.

E12-332. Debra Boulter v. Director et al.

E12-333. Andrea Brown v. Director et al.

E12-334. Eric Roe v. Director et al.