

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 28, 2012

LARRY D. VAUGHT, CHIEF JUDGE:

[CACR12-423](#). Michael Everett Ball v. State of Arkansas, from Washington Circuit. Affirmed. Wynne and Brown, JJ., agree.

[CA12-278](#). L.C. v. State of Arkansas, from Little River Circuit. Affirmed. Wynne and Brown, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR12-171](#). Conception Hicks v. State of Arkansas, from Grant Circuit. Affirmed. Abramson and Martin, JJ., agree.

[CA11-726](#). Roselyn G. Gira Living Revocable Trust v. Frank Bryant, Alice Bryant, and Bonnie Kelley, from Newton Circuit. Reversed and remanded. Gladwin and Robbins, JJ., agree.

[CA12-495](#). Tammy McCall Myers v. Steven Carter McCall, from Sebastian Circuit, Greenwood District. Appeal dismissed. Wynne and Hoofman, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CA12-635](#). Alexander Thornton v. Arkansas Department of Human Services and Minor Children, from Garland Circuit. Affirmed. Vaught, C.J., and Martin, J., agree.

ROBIN F. WYNNE, JUDGE:

[CA12-639](#). Chelsie Hoffman Wrone v. Arkansas Department of Human Services and Minor Child, from Boone Circuit. Affirmed; motion to withdraw granted. Pittman and Hoofman, JJ., agree.

RITA W. GRUBER, JUDGE:

[CACR12-84](#). Tyrone Tate v. State of Arkansas, from Ashley Circuit. Affirmed. Robbins and Brown, JJ., agree.

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DAVID M. GLOVER, JUDGE:

[CA12-546](#). St. Edward Mercy Medical Center & Sisters of Mercy Health System v. Jimmie Howard, from the Arkansas Workers' Compensation Commission. Affirmed. Vaught, C.J., and Abramson, J., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CACR12-305](#). Leslie John Harris v. State of Arkansas, from Clark Circuit. Affirmed. Pittman and Martin, JJ., agree.

[CA12-410](#). Luke Szabo v. Lesli Rutland Womack, from Benton Circuit. Rebriefing ordered. Pittman and Martin, JJ., agree.

[E12-350](#). Wanda J. Oswald v. Director, Department of Workforce Services, and Belk Conway Commons, from the Arkansas Board of Review. Remand for additional evidence. Robbins and Glover, JJ., agree.

DOUG MARTIN, JUDGE:

[CA12-98](#). Jane Allen Hall v. Board of Administration of the Willow Cove Horizontal Property Regime, Lynn Bennett, Pat Webb, Doug Thacker, Glen McNeal, and Joetta Thornton, from Garland Circuit. Dismissed without prejudice. Pittman and Abramson, JJ., agree.

[CA12-449](#). Deborah A. Dobbs v. Discover Bank, from Pulaski Circuit, Sixth Division. Reversed. Pittman and Abramson, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CA12-552](#). Lorna Brown v. Cobb Vantress-Tyson and Tynet, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Robbins and Gruber, JJ., agree.

[CA12-636](#). Sidney Bradbury v. Arkansas Department of Human Services and Minor Children, from Garland Circuit. Affirmed. Robbins and Gruber, 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).

- E11-269. Noah Johnson v. Director et al.
- E12-270. Grace Waugh v. Director et al.
- E12-335. Frances R. Miller v. Director et al.
- E12-336. Eric Bottoms v. Director et al.
- E12-337. Tracie Brown v. Director et al.
- E12-338. Ronnie Wallace v. Director et al.
- E12-339. Jennifer Stanley v. Director et al.
- E12-340. Sherosha Murry v. Director et al.
- E12-341. Stanley McPheeters v. Director et al.
- E12-342. James E. Bennett v. Director et al.
- E12-343. Dawna Bellamy v. Director et al.
- E12-344. Jennifer Funderburg v. Director et al.
- E12-345. Joe McGowan v. Director et al.
- E12-346. Randy Robbins v. Director et al.
- E12-347. Doyle Derden Jr. v. Director et al.
- E12-348. Loretta Derden v. Director et al.
- E12-349. Angella Weber v. Director et al.

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- E12-351. Miranda Crawford v. Director et al.
- E12-352. Calvin Brady Sr. v. Director et al.
- E12-353. Laura Schultz v. Director et al.
- E12-354. Holli Garrison v. Director et al.
- E12-355. Tamera Tate v. Director et al.
- E12-356. Johannah Greenway v. Director et al.
- E12-357. Barbara McDuffie v. Director et al.
- E12-358. Cynthia Sims v. Director et al.
- E12-359. Jon Robert, M.D. v. Director et al.
- E12-360. Mary Keener v. Director et al.
- E12-361. Sharon D. Conway v. Director et al.
- E12-363. Pamela Wood v. Director et al.
- E12-364. Miriam Meadows v. Director et al.
- E12-365. Wayne Foshee v. Director et al.
- E12-366. Lakisha Murray v. Director et al.
- E12-367. Lovvorn Wholesale Lumber Corp. v. Director et al.
- E12-369. Latanza Atkins v. Director et al.
- E12-370. Jamesetta Cheatham v. Director et al.
- E12-371. Daniel Stotts v. Director et al.
- E12-372. Samuel Kingcade v. Director et al.

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- E12-373. Cynthia Martin v. Director et al.
- E12-374. David Conyers v. Director et al.
- E12-375. Karon Kissinger v. Director et al.
- E12-376. Aaron Buchman v. Director et al.
- E12-377. Tameka Day v. Director et al.
- E12-378. Nikita Henderson v. Director et al.
- E12-379. Susan Yother v. Director et al.
- E12-380. Jane Perkins v. Director et al.
- E12-381. Latrese Atkins v. Director et al.
- E12-382. Brittney M. Gulley v. Director et al.
- E12-383. Toni Peterson v. Director et al.

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PER CURIAM ORDERS

CACR11-1294. Irineo Tijerina-Palacios v. State of Arkansas, from Benton Circuit. Motion of James E. Hensley, Jr., for attorney's fees is granted. Allowed \$1,600.00.

CACR11-1294. Irineo Tijerina-Palacios v. State of Arkansas, from Benton Circuit. Motion of James E. Hensley, Jr., to be relieved as counsel for appellant is granted.

CACR12-71. John Wesley Magness v. State of Arkansas, from Van Buren Circuit. Motion of Jason Andrew Jouett for attorney's fees is granted. Allowed \$1,600.00.

CACR12-71. John Wesley Magness v. State of Arkansas, from Van Buren Circuit. Motion of Jason Andrew Jouett to be relieved as counsel for appellant is granted.

CACR12-175. Kurion K. Hughes, Jr. v. State of Arkansas, from Mississippi Circuit, Osceola District. Motion of John Henderson Bradley for attorney's fees is granted. Allowed \$1,600.00.

CA12-54. Greg Fess et al. v. Stephen C. Brissette, Jr., from Pulaski Circuit, Fifth Division. Appellee's motion for costs and attorney's fees for supplemental abstract. Granted \$7,500.00 attorney's fees. Costs assessed on mandate.

CA12-586. Williams Tractor, Inc. v. ANB Venture, LLC, from Benton Circuit. Motion of Charles S. Trantham to withdraw as counsel for appellee is granted. Vaught, C.J., not participating.

E12-1063. Norman Rawlings v. Director et al., from Board of Review. Pro se motion to file belated appeal is denied.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CACR12-80. Shawn Trevell Rainer v. State of Arkansas, from Mississippi Circuit, Chickasawba District.

CA11-1170. Lawrence Young, As Personal Representative of the Estate of Virginia Castleberry, Deceased v. Oumitana Kajkenova, from Pulaski Circuit, Third Division.

CA12-5. Cynthia Smith and Delois Muldrew, As Co-Special Administrators of the Estate of Bettye Hickman, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Bettye Hickman v. Heather Manor Care Center, Inc. d/b/a Heather Manor Nursing and Rehabilitation Center; Central Arkansas Nursing Centers, Inc.; Nursing Consultants, Inc.; and Michael Morton, from Hempstead Circuit.

CA12-192. Capitol Zoning District Commission v. B. Patrick Cowan, from Pulaski Circuit, Fifth Division.

CACR12-23. Tracy M. Standridge v. State of Arkansas, from Baxter Circuit. Appellant's pro se motion for rehearing and rule on clerk to complete the record.

CACR12-201. John David Mashburn v. State of Arkansas, from Crawford Circuit. Motion of Lisa-Marie Norris for attorney's fees.

CACR12-223. Quinton Dewayne Harris v. State of Arkansas, from Arkansas Circuit, Southern District. Motion of Alvin Schay for attorney's fees.

CACR12-234. Eugene Thomas, III v. State of Arkansas, from Chicot Circuit. Appellant's pro se motion for leave to file a response to appellee's brief.

CACR12-320. Cameron L. Smith v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Jordan B. Tinsley for attorney's fees.

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MOTIONS SUBMITTED

CACR12-354. Eva Etris v. State of Arkansas, from Crawford Circuit. Motion of Douglas Brimhall for attorney's fees.

CACR12-370. Shed Love v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees.

CACR12-411. Teddy Allen Jones v. State of Arkansas, from Stone Circuit. Motion of Brett D. Watson for attorney's fees and to withdraw as counsel for appellant.

CACR12-428. Lisa Ann Foster v. State of Arkansas, from Lonoke Circuit. Motion of Robert M. "Robby" Golden for attorney's fees.

CACR12-467. Jason Winston v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees.

CACR12-630. Cindy L. McLane v. State of Arkansas, from Crittenden Circuit. Appellant's motion for belated filing of brief.

CACR12-917. Jonathan Edward Brawner v. State of Arkansas, from Faulkner Circuit. Appellant's motion to correct and supplement the record.

CA08-1351. Gary Bodiford, M.D. v. Joyce Street, LLC, et al., from Washington Circuit. Bankruptcy status report.

CA12-97. Beau Welch et al. v. Gary S. Richardson, Jr., from Sebastian Circuit, Fort Smith District. Bankruptcy status report.

CA12-254. D.D. v. State of Arkansas, from Benton Circuit. Motion of Lisa Marie Norris for attorney's fees.

CA12-272. B.R. v. State of Arkansas, from Benton Circuit. Motion of Patricia A. James for attorney's fees.

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CA12-476. Amanda Marie Scudder v. Raylinia Ramsey, from Jackson Circuit. Appellee's motion for rehearing and reconsideration of denial of petition for certiorari to complete the record and for extension of time to file brief.

CA12-648. Warren School District v. Robert A. Avery, from Bradley Circuit. Appellee's motion to supplement the record.

CA12-685. Lawrence Trammell v. Willis Hooks, from Greene Circuit. Appellant's motion to remand to correct the record or alternative petition for certiorari to complete the record and motion to extend time or stay the briefing schedule.

CA12-751. Amalie E. Bishop v. Joseph E. Singletary, from Lonoke Circuit. Appellant's motion to file belated brief.

CA12-765. Mae Weaver v. Arkansas Department of Correction et al., from Workers' Compensation Commission. Appellees' motion to stay brief time.

CA12-765. Mae Weaver v. Arkansas Department of Correction et al., from Workers' Compensation Commission. Appellant's motion to supplement appellant's abstract.

CA12-853. Michael Richardson v. Simpsons Buy & Sell, Inc., from Workers' Compensation Commission. Appellant's pro se motion for reconsideration and extension of time.

CA12-966. Royal Overhead Door, Inc. d/b/a Royal Hearth & Home v. Shawn Jernigan, from Saline Circuit. Appellant's motion to seal portions of the record.

E12-495. Elizabeth Weinstein v. Director et al., from Board of Review. Appellant's motion to file substitute brief, abstract and addendum.

E12-621. Tiffany Bushe'e v. Director et al., from Board of Review. Appellees' motion to remand.

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CACR12-224. Jean Marie Leek v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR12-377. Terry Antonio Lee v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR12-483. Ronney Briggs v. State of Arkansas, from Garland Circuit.

CACR12-498. Jeffery Wayne Ratterree v. State of Arkansas, from Lincoln Circuit.

CACR12-597. Linda Gail Sanders v. State of Arkansas, from Lonoke Circuit.

CA11-1188. Ann Marvin Carnell v. Arkansas Elder Outreach of Little Rock, from Crittenden Circuit.

CA12-139. Gross & Janes Company et al. v. Cedric Brooks, from Pulaski Circuit, Second Division.

CA12-216. Vasundara V. Varadan and Vijay K. Varadan v. Tom Pagnozzi, from Washington Circuit.

CA12-499. Bradley Perkins and Judy Perkins v. Warren O. Henry and Joyce B. Henry, from Lonoke Circuit.

CA12-506. Town of Gilbert v. Benjamin F. Fruehauf, II, from Searcy Circuit.

CA12-553. Jeffrey A. Greene v. Cockram Concrete Company, from Workers' Compensation Commission.

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

E12-434. Velma Boyd v. Director et al.

E12-435. Shaina McBride v. Director et al.

E12-436. Ricky Quincey v. Director et al.

E12-437. Andrew G. Myslak v. Director et al.

E12-438. Shalese Jones v. Director et al.

E12-439. Leonard Barnes v. Director et al.

E12-440. Connie Blair v. Director et al.

E12-442. Alberta Harper v. Director et al.

E12-443. Tymberly Garrett v. Director et al.

E12-444. Michael Cale v. Director et al.

E12-445. Pamela Ernest-Barnes v. Director et al.

E12-446. Patty Thomas v. Director et al.

E12-447. David Yarbrough v. Director et al.

E12-448. Brian K. Wingfield v. Director et al.

E12-449. Sandra Ericksen v. Director et al.

E12-450. Brenda McCraw v. Director et al.

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- E12-451. Yvonne Parham v. Director et al.
- E12-452. Michael Cain v. Director et al.
- E12-453. Crysten Beard v. Director et al.
- E12-454. David Lunsford v. Director et al.
- E12-455. Floyd Dean v. Director et al.
- E12-456. Tasha Dumas v. Director et al.
- E12-457. Deborah Franklin v. Director et al.
- E12-458. Brenda Goodin v. Director et al.
- E12-459. Carla Burgey v. Director et al.
- E12-460. Rodney Barefield v. Director et al.
- E12-461. Lakeysa Pempilton v. Director et al.
- E12-462. J. Michael Plyler, DDS, PA v. Director et al.
- E12-464. Carolyn McMurrian v. Director et al.
- E12-465. Southern Refrigerated Transport v. Director et al.
- E12-466. Fragrances Unlimited Outlet v. Director et al.
- E12-467. James Gregory v. Director et al.
- E12-469. Ber'Neice Harris v. Director et al.

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E12-470. Lewis Gibson v. Director et al.

E12-471. Monda Walter-Davis v. Director et al.

E12-472. Ina Guthrie v. Director et al.

E12-473. Joe Wise v. Director et al.

E12-474. Ruby Deshazier v. Director et al.

E12-475. Ricky Hurvey v. Director et al.

E12-476. Marcia Howard v. Director et al.

E12-477. Deborah Williams v. Director et al.

E12-478. Shaqueena White v. Director et al.

E12-479. Richard's Honda Yamaha v. Director et al.

E12-480. Carol Keyes v. Director et al.

E12-481. Ozark Oak Charcoal Co. Inc. v. Director et al.

E12-482. Darline Swanson v. Director et al.

E12-483. John Williams v. Director et al.

E12-484. Terry Thompson v. Director et al.

E12-485. Mary Tyler v. Director et al.

E12-486. April Tackett v. Director et al.

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E12-487. Fagian Polk v. Director et al.

E12-488. Larry Bunting v. Director et al.

E12-489. John Devitt v. Director et al.

E12-490. Christa Goldbird v. Director et al.

E12-491. Frances Wisdom v. Director et al.

E12-492. Lorraine Wilson v. Director et al.

E12-493. Jack Sims v. Director et al.

E12-496. Angela Turner v. Director et al.

E12-498. Trisha Knight v. Director et al.

E12-499. Brian Gorman v. Director et al.