

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF DECEMBER 5, 2012

LARRY D. VAUGHT, CHIEF JUDGE:

[CA11-1310](#). Arkansas Elder Outreach of Little Rock, Inc. v. Linda Faye Thompson, from Crittenden Circuit. Affirmed. Gladwin and Martin, JJ., agree.

[CA12-637](#). Fredrick D. Smart v. Arkansas Department of Human Services and J.S., Minor Child, from Jackson Circuit. Remanded to supplement record; rebriefing ordered; motion to withdraw denied. Gladwin and Martin, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA12-371](#). Robert Harvill v. Dale Bridges and Tammy Bridges, from Saline Circuit. Reversed. Abramson and Martin, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CA12-640](#). Marla Green v. Arkansas Department of Human Services and K.G., Minor Child, from Sharp Circuit. Affirmed; motion to withdraw granted; motion to file delayed pro se points denied. Vaught, C.J., and Martin, J., agree.

ROBIN F. WYNNE, JUDGE:

[CA12-194](#). Betty Boykin v. Crockett Adjustment Insurance and Central Moloney, from the Arkansas Workers' Compensation Commission. Rebriefing ordered. Pittman and Hoofman, JJ., agree.

RITA W. GRUBER, JUDGE:

[CA12-264](#). Robert Marshall and Karri Marshall v. Turman Construction Corporation, from Craighead Circuit, Western District. Affirmed. Robbins and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA12-22](#). Robert Sullivan, Mayor; City of McRae, Arkansas; Wayland Bradford, et al. v. Mary Coney, from White Circuit. Reversed and remanded. Pittman, Gladwin, Robbins, and Martin, JJ., agree. Vaught, C.J., dissents.

[CA12-477](#). Christy Carr v. Arkansas Department of Human Services and Minor Children, from Benton Circuit. Affirmed. Abramson and Brown, 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).

- E12-385. Qeuna Fisher v. Director et al.
- E12-386. Debbie Robertson v. Director et al.
- E12-387. James Gregory v. Director et al.
- E12-388. Thomas Johnson v. Director et al.
- E12-389. Magdy M. Salem v. Director et al.
- E12-390. Larry Jordan v. Director et al.
- E12-391. Pauline Fox v. Director et al.
- E12-392. Bryant Paulin v. Director et al.
- E12-393. Jack Pittman Jr. v. Director et al.
- E12-394. Benita Williams v. Director et al.
- E12-395. Ernestine Shelton v. Director et al.
- E12-396. Jeffrey Taylor v. Director et al.
- E12-397. Reginald Madison v. Director et al.
- E12-398. Joan Batten v. Director et al.
- E12-399. Debbie Dowdy v. Director et al.
- E12-400. Antonio Miller v. Director et al.
- E12-401. Ethel Wright v. Director et al.

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- E12-403. Harry Martinez v. Director et al.
- E12-404. Central Arkansas Library Systems v. Director et al.
- E12-405. Alvin Sims v. Director et al.
- E12-406. Amber Feagin v. Director et al.
- E12-407. Patricia Cleveland v. Director et al.
- E12-408. Candace Fulton v. Director et al.
- E12-409. Physicians Specialty Hospital v. Director et al.
- E12-410. Charles Thomas v. Director et al.
- E12-411. Gary Stevens v. Director et al.
- E12-412. Mary Benton v. Director et al.
- E12-413. Nancy Baker v. Director et al.
- E12-414. Alan Hirsch Jr. v. Director et al.
- E12-415. Teena Blevins v. Director et al.
- E12-416. Theoda Butler v. Director et al.
- E12-417. Brittany Kimbrell v. Director et al.
- E12-418. William Miller v. Director et al.
- E12-419. Steven Branson v. Director et al.
- E12-420. Michael Durham v. Director et al.
- E12-421. Patriciann Shaw v. Director et al.

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- E12-422. Thomas Thornhill v. Director et al.
- E12-423. Daniel Blevins v. Director et al.
- E12-424. Kevin Morris v. Director et al.
- E12-425. Jennifer Nathan v. Director et al.
- E12-426. Tara Campbell v. Director et al.
- E12-427. Pamela Smith-Mathews v. Director et al.
- E12-428. Anthony Smith v. Director et al.
- E12-429. Donald Leonard v. Director et al.
- E12-430. Larry Spears v. Director et al.
- E12-431. Hensley Farms v. Director et al.
- E12-432. Teresa Winstead v. Director et al.
- E12-433. Maxine Brice v. Director et al.

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PER CURIAM ORDERS

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

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 is denied.

CACR12-201. John David Mashburn v. State of Arkansas, from Crawford Circuit. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,200.00.

CACR12-223. Quinton Dewayne Harris v. State of Arkansas, from Arkansas Circuit, Southern District. Motion of Alvin Schay for attorney's fees is granted. Allowed \$1,600.00.

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 is denied.

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CACR12-320. Cameron L. Smith v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Jordan B. Tinsley for attorney's fees is granted. Allowed \$1,600.00.

CACR12-354. Eva Etris v. State of Arkansas, from Crawford Circuit. Motion of Douglas Brimhall for attorney's fees is granted. Allowed \$1,400.00.

CACR12-370. Shed Love v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees is granted. Allowed \$1,300.00.

CACR12-428. Lisa Ann Foster v. State of Arkansas, from Lonoke Circuit. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,600.00.

CACR12-467. Jason Winston v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees is granted. Allowed \$1,600.00.

CACR12-630. Cindy L. McLane v. State of Arkansas, from Crittenden Circuit. Appellant's motion for belated filing of brief is granted. Appellant's brief due January 4, 2013.

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

CA08-1351. Gary Bodiford, M.D. v. Joyce Street, LLC, et al., from Washington Circuit. Bankruptcy status report due May 31, 2013.

CA12-97. Beau Welch et al. v. Gary S. Richardson, Jr., from Sebastian Circuit, Fort Smith District. Bankruptcy status report due May 31, 2013.

CA12-254. D.D. v. State of Arkansas, from Benton Circuit. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,050.00.

CA12-272. B.R. v. State of Arkansas, from Benton Circuit. Motion of Patricia A. James for attorney's fees is granted. Allowed \$1,400.00.

CA12-476. Amanda Marie Scudder v. Raylinia Ramsey, from Jackson Circuit. Appellee's

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motion for rehearing and reconsideration of denial of petition for certiorari to complete the record is denied. Pittman, J., would grant.

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

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. Remanded to the trial court to settle the record within thirty days. Appellant's brief due within thirty days thereafter.

CA12-751. Amalie E. Bishop v. Joseph E. Singletary, from Lonoke Circuit. Appellant's motion to file belated brief is granted. Brief filed this date.

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

CA12-853. Michael Richardson v. Simpsons Buy & Sell, Inc., from Workers' Compensation Commission. Appellant's pro se motion for reconsideration is denied. Appellant's brief due January 4, 2013.

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 is granted. Glover, J., not participating.

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

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

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CACR12-42. Tracy Shannon Todd v. State of Arkansas, from Crawford Circuit.

CA12-474. Arkansas Department of Human Services and Arkansas State Police v. David Koprovic, from Sebastian Circuit, Fort Smith District.

E12-280. Gwen Bell v. Director, Department of Workforce Services, et al., from Board of Review.

CACR12-132. Phetphouthone Lee Vilayvanh v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Jason P. Kearney for attorney's fees.

CACR12-177. Elfido Gutierrez v. State of Arkansas, from Faulkner Circuit. Motion of William O. "Bill" James, Jr., for attorney's fees.

CACR12-950. Thomas Rainey v. State of Arkansas, from Dallas Circuit. Appellant's petition to proceed in forma pauperis and for appointment of counsel.

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

E12-1104. Malcolm Rogers v. Director et al., from Board of Review. Pro se motion to file belated appeal.

E12-1108. Lusenda Brown v. Director et al., from Board of Review. Pro se motion to file belated appeal.

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SUBMISSIONS

CACR11-1256. Charles Cannon v. State of Arkansas, from Howard Circuit.

CACR12-20. Terry Douglas Reed v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR12-99. Brandon Michael Davis v. State of Arkansas, from Benton Circuit.

CACR12-154. William A. Martin v. State of Arkansas, from Ashley Circuit.

CACR12-229. Timothy Wise v. State of Arkansas, from Jefferson Circuit.

CACR12-315. Justin Jemaine Smith v. State of Arkansas, from Jefferson Circuit.

CA12-62. Rodney Callaway and Heritage Corner, LTD v. A. Heath Abshire, from Pulaski Circuit, Sixth Division.

CA12-429. Kathy J. Buckalew v. Arvest Trust Company, N.A., from Benton Circuit.

CA12-436. Titan Transportation, Inc. v. O.K. Foods, Inc., from Sebastian Circuit, Fort Smith District.

CA12-511. DesRae Yerby v. Vince Yerby, from Crawford Circuit.

CA12-686. Brandy Duncan v. Arkansas Department of Human Services and Minor Child, from Washington Circuit.

CA12-733. Heather Cushman v. Arkansas Department of Human Services and Minor Child, from Columbia Circuit.

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SUBMISSIONS

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

E12-500. Stephen Cunningham v. Director et al.

E12-501. Wanda Barnes v. Director et al.

E12-502. Stacey Hill v. Director et al.

E12-503. Carl Scott v. Director et al.

E12-504. Annette Brown v. Director et al.

E12-505. Melanie Harris v. Director et al.

E12-506. Monica Nichols v. Director et al.

E12-507. Lequarius A. Nimmer v. Director et al.

E12-508. Latrecia Davis-Brown v. Director et al.

E12-509. Linda S. Morrison v. Director et al.

E12-510. Monica Snowden v. Director et al.

E12-511. Michael Carpenter v. Director et al.