

## ARKANSAS COURT OF APPEALS

### PROCEEDINGS OF DECEMBER 12, 2012

#### LARRY D. VAUGHT, CHIEF JUDGE:

[CA12-197](#). Sam Durham v. Terry Smith and Susan Smith, from Izard Circuit. Affirmed. Gladwin, Robbins, Glover, Abramson, and Martin, JJ., agree. Pittman, Wynne, and Brown, JJ., dissent.

[CA12-553](#). Jeffrey A. Greene v. Cockram Concrete Co. and Employers Mutual Casualty Company, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Glover, JJ., agree.

#### JOHN MAUZY PITTMAN, JUDGE:

[CACR12-483](#). Ronney Briggs v. State of Arkansas, from Garland Circuit. Affirmed. Wynne and Brown, JJ., agree.

[CA11-974](#). Michael Gartman and Kemal Kutait, Individually and as Administrator of the Estate of Rebecca Kutait, deceased v. Ford Motor Company and Crain Ford Lincoln Mercury, from Hot Spring Circuit. Appeal dismissed without prejudice. Wynne and Brown, JJ., agree.

[CA12-72](#). Ralph Van Cleve, June Van Cleve, and River Cities Aviation, Inc. v. City of North Little Rock and North Little Rock Airport Commission, from Pulaski Circuit, Fifth Division. Affirmed. Abramson and Martin, JJ., agree.

[CA12-232](#). Lacey Crenshaw v. Mancel E. Crenshaw and Donna J. Crenshaw, from Sebastian Circuit, Greenwood District. Reversed and remanded. Robbins, Glover, Martin, and Hoofman, JJ., agree. Abramson, J., concurs.

[CA12-512](#). Casondra Dokes v. Smart Style, from the Arkansas Workers' Compensation Commission. Affirmed. Wynne and Hoofman, JJ., agree.

#### ROBERT J. GLADWIN, JUDGE:

[CACR12-597](#). Linda Gail Sanders v. State of Arkansas, from Lonoke Circuit. Affirmed. Vaught, C.J., and Glover, J., agree.

[CA11-1188](#). Ann Marvin Carnell v. Arkansas Elder Outreach of Little Rock, Inc., from Crittenden Circuit. Reversed and remanded in part; affirmed in part. Vaught, C.J., and Glover, J., agree.

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**ROBIN F. WYNNE, JUDGE:**

[CACR12-224](#). Jean Marie Leek v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Pittman and Brown, JJ., agree.

[CA12-216](#). Vasundara V. Varadan and Vijay K. Varadan v. Tom Pagnozzi, from Washington Circuit. Affirmed. Pittman and Brown, JJ., agree.

**DAVID M. GLOVER, JUDGE:**

[CACR12-498](#). Jeffery Wayne Ratterree v. State of Arkansas, from Lincoln Circuit. Affirmed. Vaught, C.J., and Gladwin, J., agree.

[CA12-139](#). Gross & Janes Company and Charles Harris v. Cedrick Brooks, from Pulaski Circuit, Second Division. Affirmed. Vaught, C.J., and Gladwin, J., agree.

**RAYMOND R. ABRAMSON, JUDGE:**

[E12-208](#). Tiffany Ziegler v. Director, Department of Workforce Services, from the Arkansas Board of Review. Affirmed. Hoofman and Brown, JJ., agree.

**DOUG MARTIN, JUDGE:**

[CACR11-1223](#). Jeffrey Winkler v. State of Arkansas, from Jefferson Circuit. Affirmed. Pittman and Abramson, JJ., agree.

[CACR12-443](#). Gregory Donzell Reynolds v. State of Arkansas, from Jefferson Circuit. Affirmed. Pittman and Abramson, JJ., agree.

**WAYMOND M. BROWN, JUDGE:**

[CACR12-377](#). Terry Antonio Lee v. State of Arkansas, from Pulaski Circuit, Seventh Division. Remanded for supplemental addendum. Pittman and Wynne, JJ., agree.

[CA12-499](#). Bradley Perkins and Judy Perkins v. Warren O. Henry and Joyce B. Henry, from Lonoke Circuit. Reversed and remanded. Pittman and Wynne, 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).

- E12-307. Wendy Sartin v. Director et al.
- 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.
- 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.

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- 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.
- 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.

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

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

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

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

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. Vaught, C.J., and Abramson, J., would grant.

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

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CACR12-132. Phetphouthone Lee Vilayvanh v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Jason P. Kearney for attorney's fees is granted. Allowed \$1,600.00.

CACR12-177. Elfido Gutierrez v. State of Arkansas, from Faulkner Circuit. Motion of William O. "Bill" James, Jr., for attorney's fees is granted. Allowed \$1,600.00.

CACR12-237. Earnest Larry Stocker v. State of Arkansas, from Cleveland Circuit. Motion of N. Mark Klappenbach for attorney's fees is granted. Allowed \$1,600.00.

CACR12-411. Teddy Allen Jones v. State of Arkansas, from Stone Circuit. Motion of Brett D. Watson for attorney's fees is granted. Allowed \$1,600.00. Motion to withdraw as counsel for appellant is granted. Gladwin, J., not participating.

CACR12-572. Justin R. Williams v. State of Arkansas, from Crittenden Circuit. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,600.00.

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CACR12-950. Thomas Rainey v. State of Arkansas, from Dallas Circuit. Appellant's petition to proceed in forma pauperis and for appointment of counsel is granted. Teresa Bloodman appointed to represent appellant.

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

[CA12-746](#). Diamond Enterprises, Inc., Bruce Swinton, Jeanette Jackson, and Elton Taylor, Sr. v. Arvest Bank, from Pulaski Circuit, Second Division. Appellants' motion for extension of time denied; appeal dismissed. *See per curiam* this date.

CA12-746. Diamond Enterprises, Inc., Bruce Swinton, Jeanette Jackson, and Elton Taylor, Sr. v. Arvest Bank, from Pulaski Circuit, Second Division. Appellees' motion for sanctions and attorneys' fees is denied. Motion to dismiss appeal is granted. *See per curiam* this date.

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

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