

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF JANUARY 16, 2013

ROBERT J. GLADWIN, CHIEF JUDGE:

[CACR12-229](#). Timothy Wise v. State of Arkansas, from Jefferson Circuit. Dismissed; motion granted. Glover and Vaught, JJ., agree.

[CACR12-571](#). Jamar Foster v. State of Arkansas, from Crittenden Circuit. Affirmed; motion to withdraw granted. Glover and Vaught, JJ., agree.

[CA12-733](#). Heather Cushman v. Arkansas Department of Human Services and M.E., Minor Child, from Columbia Circuit. Affirmed. Glover and Vaught, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR12-315](#). Justin Smith v. State of Arkansas, from Jefferson Circuit. Affirmed; motion to withdraw granted. Wynne and Brown, JJ., agree.

[CACR12-318](#). Justin West v. State of Arkansas, from Garland Circuit. Motion to withdraw denied without prejudice; rebriefing ordered. Wynne and Brown, JJ., agree.

[CACR12-404](#). Michael Dewayne Copeland v. State of Arkansas, from Ouachita Circuit. Motion to withdraw denied without prejudice; rebriefing ordered. Wynne and Brown, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CACR12-154](#). William A. Martin v. State of Arkansas, from Ashley Circuit. Affirmed; motion to withdraw granted. Pittman and Brown, JJ., agree.

[CACR12-319](#). Anthony Glen Atwell v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed; motion to withdraw granted. Pittman and Brown, JJ., agree.

[CACR12-532](#). Carl Joseph Cooper v. State of Arkansas, from Garland Circuit. Affirmed; motion to withdraw granted. Pittman and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CACR11-1256](#). Charles Edward Cannon v. State of Arkansas, from Howard Circuit. Affirmed; motion to withdraw granted. Gladwin, C.J., and Vaught, J., agree.

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DAVID M. GLOVER, JUDGE: (cont.)

[CACR12-573](#). Douglas Ray Moten v. State of Arkansas, from Crittenden Circuit. Affirmed; motion to withdraw granted. Gladwin, C.J., and Vaught, J., agree.

[CACR12-618](#). Joshua Jamal Hamilton v. State of Arkansas, from Crittenden Circuit. Affirmed; counsel's motion to be relieved granted. Gladwin, C.J., and Vaught, J., agree.

[CA12-686](#). Brandy Duncan v. Arkansas Department of Human Services and Minor Child, from Washington Circuit. Affirmed; motion to be relieved granted. Gladwin, C.J., and Vaught, J., agree.

LARRY D. VAUGHT, JUDGE:

[CACR12-20](#). Terry Douglas Reed v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Rebriefing ordered; motion to withdraw denied. Gladwin, C.J., and Glover, J., agree.

[CACR12-574](#). Dennis Richards v. State of Arkansas, from Crittenden Circuit. Affirmed; motion granted. Gladwin, C.J., and Glover, J., agree.

[CACR12-620](#). Whitney Nicole Alexander v. State of Arkansas, from Crittenden Circuit. Affirmed; motion granted. Gladwin, C.J., and Glover, J., agree.

[CA12-506](#). Town of Gilbert v. Benjamin F. Fruehauf, II, from Searcy Circuit. Affirmed. Gladwin, C.J., and Glover, J., agree.

WAYMOND M. BROWN, JUDGE:

[CACR12-99](#). Brandon Michael Davis v. State of Arkansas, from Benton Circuit. Appeal dismissed; motion to withdraw granted. Pittman and Wynne, JJ., agree.

[CACR12-279](#). Montrel Marquette Weeden v. State of Arkansas, from Crittenden Circuit. Affirmed; motion to withdraw granted. Pittman and Wynne, JJ., agree.

[CACR12-324](#). Lawrence Schmitt v. State of Arkansas, from Benton Circuit. Motion denied; rebriefing ordered. Pittman and Wynne, JJ., agree.

[CA12-62](#). Rodney Callaway v. A. Heath Abshure, Arkansas Securities Commissioner, from Pulaski Circuit, Sixth Division. Appeal dismissed. Pittman and Wynne, JJ., agree.

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The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).

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.

E12-512. Mae Glover v. Director et al.

E12-513. Richard Brown v. Director et al.

E12-514. Patricia Fleming v. Director et al.

E12-515. Towanda Thomas v. Director et al.

E12-516. Brandon Bradley v. Director et al.

E12-517. Alice Ford v. Director et al.

E12-518. Anna Phifer v. Director et al.

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- E12-519. Ronnie Kaylor v. Director et al.
- E12-520. Ronnie Kaylor v. Director et al.
- E12-521. Jamie Gosnell v. Director et al.
- E12-522. Doyle Loyd v. Director et al.
- E12-523. Nance Flores v. Director et al.

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PER CURIAM ORDERS

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

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

CA12-22. Robert Sullivan, Mayor; City of McRae, Arkansas; Wayland Bradford, et al. v. Mary Coney, from White Circuit. Harrison and Vaught, JJ., would grant.

CACR12-483. Ronney Briggs v. State of Arkansas, from Garland Circuit. Motion of Rosalyn Watts for attorney's fees is granted. Allowed \$1,400.00.

CACR12-980. Charles R. Hicks v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Mark Alan Jesse to be substituted as counsel for appellant and for extension of time is granted.

CACR12-986. Patrick Eugene Dobbins v. State of Arkansas, from Pulaski Circuit, Sixth Division. Appellant's motion to supplement the record is granted.

CA11-1243. Ryan Roggasch and Elite Homes of Arkansas, Inc. v. Tasha Sims and John Sims, from Saline Circuit. Supplemental report on appellant's bankruptcy. Noted. Status report due January 30, 2013.

CA12-261. Davis Tillman et al. v. Kimberly Hughes et al., from Garland Circuit. Bankruptcy status report. Noted. Status report due April 15, 2013. Glover, J., not participating.

CA12-815. Dean Banks v. Randy Riddle, from Pike Circuit. Appellees' motion to dismiss appeal, for sanctions, and to stay brief time pending determination of motion to dismiss appeal. Motion to dismiss appeal is denied. Motion for sanctions is denied without prejudice. Appellees' brief due February 15, 2013. Appellant's reply brief due within fifteen days after filing of appellees' brief.

CA12-815. Dean Banks v. Randy Riddle, from Pike Circuit. Appellees' motion to modify the record is denied.

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PETITIONS FOR REHEARING:

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.

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.

CACR12-498. Jeffery Wayne Ratterree v. State of Arkansas, from Lincoln Circuit. Motion of Travis A. Gray for attorney's fees.

CA12-110. Loca Luna, LLC, and Wilkes-Abernathy, LLC v. Board of Adjustment, City of Little Rock, and W. Ross McCain, from Pulaski Circuit, Fifth Division. Appellees' motion to set a new briefing schedule for appellees.

CA12-746. Diamond Enterprises, Inc., et al. v. Arvest Bank, from Pulaski Circuit, Second Division. Appellants' motion for reconsideration.

CA12-862. Mary Weatherspoon v. Arkansas Department of Human Services, from Pulaski Circuit, Eighth Division. Appellant's pro se motion to relieve counsel.

CA12-973. Christopher Brian Burger v. Lance Terrill Wright, from Polk Circuit. Appellant's application for stay of judgment or supersedeas.

CA12-991. Dr. Mahmood Ahmad v. Dr. Meraj Siddiqui and Horizon Pain, Inc., from Independence Circuit. Appellant's motion to supplement or otherwise settle the record and for extension of time to file brief.

CA12-1075. A.H. v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's motion to supplement the record on appeal.

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CA12-1084. Harold "Bud" Ward v. Linda Ward Tutton, from Pulaski Circuit, Seventeenth Division. Appellee's joint motion to substitute counsel.

E12-713. Luther Rodgers v. Director et al., from Board of Review. Appellees' motion to remand to the Board of Review.

E12-1144. Phakeeja Jackson v. Director et al., from Board of Review. Pro se motion to file belated appeal.

E13-3. Regina Wilton v. Director et al., from Board of Review. Pro se motion to file belated appeal.

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CACR11-1054. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR12-33. Sherbbie Lambert v. State of Arkansas, from Faulkner Circuit.

CACR12-115. Freddie Atkins v. State of Arkansas, from Crittenden Circuit.

CACR12-185. James Edward Green, Jr. v. State of Arkansas, from Drew Circuit.

CACR12-190. Gilberto Martinez-Marmol v. State of Arkansas, from Washington Circuit.

CACR12-302. Eric Eugene Mason v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR12-327. Aaron Bass v. State of Arkansas, from Pulaski Circuit, Second Division.

CACR12-398. Alphonso Lanfair v. State of Arkansas, from Conway Circuit.

CACR12-452. Reco Blakely v. State of Arkansas, from Clark Circuit.

CACR12-524. Aaron Anthony Flemons v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR12-545. Clifford Upshaw v. State of Arkansas, from Craighead Circuit, Western District.

CACR12-575. Anthony C. Jones v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CA11-1117. Dave Eusanio et al. v. Dante Tippin, from Jefferson Circuit.

CA11-1229. Rodney D. Kankey v. State of Arkansas, from Fulton Circuit.

CA12-138. Donna Deering et al. v. Supermarket Investors, Inc., from Pulaski Circuit, Sixth Division.

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CA12-147. Thane Thomas Newton v. Office of Child Support Enforcement et al., from Washington Circuit.

CA12-148. Mercy Health System of Northwest Arkansas v. Dr. Lisa McGraw, from Benton Circuit.

CA12-307. Steve's Outdoor Investments, LLC v. Reynolds Forestry Consulting-RFC, Inc., from Columbia Circuit.

CA12-488. First Tennessee Bank National Association v. Paul Mortensen, from Benton Circuit.

CA12-523. The Willows, LLC, et al. v. Herbert B. Bogy, from Jefferson Circuit.

CA12-578. James R. Bowen et al. v. Kendall Gardner, from Washington Circuit.

CA12-585. Kevin S. Phifer v. Penny J. Phifer, from Bradley Circuit.

CA12-608. Lieux' Rita Green v. Jerry Darnell Pruitt, from Pulaski Circuit, Third Division.

CA12-696. Eddie Young v. Blytheville School District, from Mississippi Circuit, Chickasawba District.

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

E12-537. George Hayes v. Director et al.

E12-538. Cindy Maxwell v. Director et al.

E12-539. Patsy Williams v. Director et al.

E12-540. Diane Pilgrim v. Director et al.

E12-541. Brandon Mounce v. Director et al.

E12-542. Teresa Miller v. Director et al.

E12-543. Lil Dandies Daycare v. Director et al.

E12-544. Cheryl Stanislaus v. Director et al.

E12-545. Maggie Perry v. Director et al.

E12-546. Ajok Mahion v. Director et al.

E12-547. Steve Garner v. Director et al

E12-548. Kayla Jones v. Director et al.

E12-550. Mary Gomez v. Director et al.

E12-551. Christopher Mantia v. Director et al.

E12-552. Joshua Kemp v. Director et al.

E12-553. Timothy Clingan v. Director et al.

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E12-554. Donald McGowan v. Director et al.

E12-555. Shelia Smith v. Director et al.

E12-556. Juanita Washington v. Director et al.

E12-557. Randy R. Alberson v. Director et al.

E12-558. Seven Eleven Drive In Liquor v. Director et al.

E12-559. Lasandra Cockerham v. Director et al.

E12-560. Bill Williams v. Director et al.

E12-561. Peachtree Assisted Living v. Director et al.