

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF FEBRUARY 13, 2013

ROBERT J. GLADWIN, CHIEF JUDGE:

[CACR11-803](#). Scott David Ashcraft v. State of Arkansas, from Grant Circuit. Affirmed. Pittman and Walmsley, JJ., agree.

[CA12-516](#). Travis L. Hancock v. Amanda Hancock, from Hot Spring Circuit. Affirmed. Pittman and Walmsley, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA12-57](#). Denise Bailey-Gray v. Alice Martinson, M.D., from Carroll Circuit, Eastern District. Affirmed. Gladwin, C.J., and Walmsley, J., agree.

[CA12-470](#). The Longing Family Revocable Trust and Longing Hunting Club, LLC v. Danny Snowden; Sheila Snowden; Chesapeake Exploration, LLC; Jayjon, Inc.; Cenark Oil & Gas Company, Inc.; BP America Production Company; and Tri.Con Investment, LLC, from Van Buren Circuit. Affirmed. Gladwin, C.J., and Walmsley, J., agree.

BILL H. WALMSLEY, JUDGE:

[CACR12-515](#). Esker Martin v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Gladwin, C.J., and Pittman, J., agree.

[CA12-912](#). Obed Figueroa v. Arkansas Department of Human Services, from Lonoke Circuit. Reversed and dismissed. Gladwin, C.J., and Pittman, J., agree.

BRANDON J. HARRISON, JUDGE:

[CA12-871](#). Cherelle Y. Campbell v. Arkansas Department of Human Services, from Pulaski Circuit, Tenth Division. Affirmed; motion to withdraw granted. Wynne and Gruber, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CA12-489](#). Richard Gawenis and Sherry Gawenis v. Alta Resources, LLC, Griffith Land Services, Inc., Petrohawk Properties, LP, and Exxon Mobil Corporation, from Van Buren Circuit. Rebriefing ordered. Harrison and Gruber, JJ., agree.

[CA12-528](#). Carl Johnson v. U.S. Food Service, Inc., Indemnity Insurance Company of North America, and Second Injury Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Harrison and Gruber, JJ., agree.

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RITA W. GRUBER, JUDGE:

[CACR11-1075](#). Tom Aaron Dillard v. State of Arkansas, from Washington Circuit. Affirmed. Harrison and Wynne, JJ., agree.

[CA12-710](#). Larry Fenstermacher v. Arkansas Department of Human Services and Minor Children, from Crawford Circuit. Affirmed. Harrison and Wynne, JJ., agree.

[E12-712](#). Christina Haney v. Director, Arkansas Department of Workforce Services, from the Arkansas Board of Review. Reversed. Harrison and Wynne, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA12-811](#). Antonius Collins II and Jasmine Eason v. Arkansas Department of Human Services and Minor Children, from Crittenden Circuit. Affirmed; motion granted. Whiteaker and Vaught, JJ., agree.

[E12-402](#). Guadalupe Rivas v. Director, Department of Workforce Services, and Advanced Concrete Services, from the Arkansas Board of Review. Affirmed. Whiteaker and Vaught, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CA12-557](#). Unifund CCR Partners v. Kay Thornton, from Garland Circuit. Dismissed without prejudice. Glover and Vaught, JJ., agree.

[CA12-939](#). Brian Hume v. Arkansas Department of Human Services and Minor Child, from Sebastian Circuit, Fort Smith District. Affirmed; motion to withdraw granted. Glover and Vaught, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CA12-817](#). April Olivares v. Arkansas Department of Human Services and Minor Children, from Sebastian Circuit, Fort Smith District. Affirmed. Glover and Whiteaker, JJ., agree.

[CA12-881](#). James King v. Superior Wheels and Regions Claims Management, from the Arkansas Workers' Compensation Commission. Affirmed. Glover and Whiteaker, JJ., agree.

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KENNETH S. HIXSON, JUDGE:

[CA12-801](#). Bradley Spencer and Carrie Spencer v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District. Affirmed; motion to withdraw granted. Wood and Brown, JJ., agree.

[E12-494](#). Mark S. King, M.D., P.A. v. Director, Department of Workforce Services, and Barbara Bridges, from the Arkansas Board of Review. Affirmed. Wood and Brown, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CA12-924](#). Marjorie Stairs v. Arkansas Department of Human Services and F.E.S. and C.S., minors, from Yell Circuit, Northern District. Affirmed; motion granted. Hixson and Brown, JJ., agree.

[E12-238](#). Martin Booker v. Director, Department of Workforce Services, and Caterpillar Logistics Services, from the Arkansas Board of Review. Affirmed. Hixson and Brown, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CA11-780](#). Les Marlow, Brooks “Chip” Meadows, Cary Marlow, Chad Marlow, and Leigh Carson v. United Systems of Arkansas, Inc., and Glenn Petkovsek, from Pulaski Circuit, First Division. Affirmed. Gladwin, C.J., and Pittman, Walmsley, and Wood, JJ., agree. Hixson, J., dissents.

[CA12-868](#). Carrinthia Tatum v. Arkansas Department of Human Services and Minor Children, from Pulaski Circuit, Eleventh Division. Affirmed; motion to withdraw granted. Hixson and Wood, 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).

E12-698. Tyler Rimmer v. Director et al.

E12-699. Doris Ponce v. Director et al.

E12-702. Tabitha Newsom v. Director et al.

E12-703. Joe Townsend v. Director et al.

E12-704. Juan Sanjuan v. Director et al.

E12-705. Earlene Williams v. Director et al.

E12-706. Joe Lewis v. Director et al.

E12-708. Darrall Williams v. Director et al.

E12-709. Keith Swopes v. Director et al.

E12-710. Cary Jayroe v. Director et al.

E12-711. Demario Cobb v. Director et al.

E12-714. Latasha Golden v. Director et al.

E12-715. Linda Shepherd v. Director et al.

E12-716. Samaria Lumsey v. Director et al.

E12-717. Thyla Popejoy v. Director et al.

E12-718. Amanda Nordin v. Director et al.

E12-719. Cynthia Wilson v. Director et al.

E12-720. Analiza Merriweather v. Director et al.

E12-721. Jamie Buckovitch v. Director et al.

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E12-722. James Jones v. Director et al.

E12-723. Byron Green, Jr. v. Director et al.

E12-724. Henry Ingram v. Director et al.

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PER CURIAM ORDERS

CACR12-302. Eric Eugene Mason v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Gary J. Barrett for attorney's fees is granted. Allowed \$1,600.00.

CACR12-327. Aaron Bass v. State of Arkansas, from Pulaski Circuit, Second Division. Motion of Lott Rolfe IV for attorney's fees is granted. Allowed \$1,600.00.

CACR12-398. Alphonso Lanfair v. State of Arkansas, from Conway Circuit. Motion of Bobby R. Digby, II, for attorney's fees is granted. Allowed \$1,600.00.

CACR12-452. Reco Blakely v. State of Arkansas, from Clark Circuit. Motion of Toney B. Brasuell for attorney's fees is granted. Allowed \$1,600.00.

CACR12-820. Raymond Wilson v. State of Arkansas, from Mississippi Circuit, Chickasawba District. Appellant's motion to supplement the record is denied. Gruber and Brown, JJ., would grant.

CA11-1243. Ryan Roggasch and Elite Homes of Arkansas, Inc. v. Tasha Sims and John Sims, from Saline Circuit. Bankruptcy status report due March 15, 2013.

CA12-230. Larry Muldrew and Patricia Muldrew, Husband and Wife v. Jesse Duckett, from Hempstead Circuit. Motion for extension of time to file appellee's brief is denied. Glover, J., would grant.

CA12-479. Peter Brave v. Marie Brave, from Pulaski Circuit, Sixteenth Division. Appellee's motion for extension of time to file supplemental record is granted.

CA12-517. Susan Annette Ver Weire v. Wayne Styles and Patty Styles, from Pope Circuit. Appellant's motion renewing request for oral argument is denied. Harrison, Glover, Whiteaker, Vaught, and Wood, JJ., would grant.

CA12-536. Debra Davis v. Schneider National Carriers, Inc., et al., from Jefferson Circuit. Appellant's motion for leave to include a supplemental abstract is granted.

E12-1031. Jerry Bradley v. Director et al., from Board of Review. Appellant's pro se motion to supplement Petition for Review is denied.

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MOTIONS SUBMITTED

CACR11-1054. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees.

CACR12-115. Freddie Atkins v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees.

CACR12-260. Christian Leon Bustillos v. State of Arkansas, from Lonoke Circuit. Motion of Jerry Larkowski for attorney's fees.

CACR12-417. David Edward McLaughlin v. State of Arkansas, from Garland Circuit. Motion of Dale E. Adams for attorney's fees.

CACR12-545. Clifford Upshaw v. State of Arkansas, from Craighead Circuit, Western District. Motion of Paul J. Teufel for attorney's fees.

CACR12-597. Linda Gail Sanders v. State of Arkansas, from Lonoke Circuit. Motion of Robert M. Golden for attorney's fees.

CACR12-616. David Gonzales v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees.

CACR12-617. Joshua Wilson v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees.

CACR12-619. Tawana Warren v. State of Arkansas, from Crittenden Circuit. Motion of C. Brian Williams for attorney's fees.

CACR12-736. Aaron Anthony Flemons v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motion to file a belated brief.

CA12-659. Allan Sealy v. Clarence Cash, from Pulaski Circuit, Seventeenth Division. Appellee's motion to dismiss appeal.

CA12-850. Lux Tan, Inc., et al. v. JK Products & Services, Inc., from Craighead Circuit, Western District. Appellee's request for oral argument.

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MOTIONS SUBMITTED

CA12-853. Michael Richardson v. Simpsons Buy & Sell, Inc., et al., from Workers' Compensation Commission. Appellees' motion to dismiss appeal.

CA12-864. Shirley Rouse v. Danny Myers et al., from Grant Circuit. Appellees' motion to strike portion of appellant's brief.

CA12-897. Carmella Kirkwood v. Betty Dial, from Phillips Circuit. Appellee's motion to strike appellant's brief and to stay brief time.

CA12-1049. City of Eureka Springs v. Nelli Clark, from Carroll Circuit, Western District. Appellee's notice of settlement and motion to stay briefing.

E12-957. Presby Martin Jr. v. Director et al., from Board of Review. Appellant's pro se motion to deny appellees' supplemental answer and request for forms.

E13-61. Quillar Powell v. Director et al., from Board of Review. Pro se motion to file belated appeal.

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CACR11-858. Mikal Rasul v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR11-921. Robert Andrew Terry v. State of Arkansas, from Crittenden Circuit.

CACR11-988. David Michael Weaver v. State of Arkansas, from Crawford Circuit.

CACR12-178. Wayne Ladell Taylor, Jr. v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CACR12-508. Marcus Washington v. State of Arkansas, from Jefferson Circuit.

CACR12-628. Jerry Dewayne Savage v. State of Arkansas, from Ashley Circuit.

CACR12-641. Brian Shackelford v. State of Arkansas, from Sharp Circuit.

CACR12-664. Eric L. Kennedy v. State of Arkansas, from Faulkner Circuit.

CACR12-778. Arthur Branch, Jr. v. State of Arkansas, from Crittenden Circuit.

CA11-1250. Whitney Leone Winn v. Arline Bonds, from Pulaski Circuit, Sixteenth Division.

CA12-114. Cal Moore et al. v. Karen Dunsworth, from Union Circuit.

CA12-220. Mildred Drake v. Sheridan School District et al., from Workers' Compensation Commission.

CA12-231. Sally L. Thomas v. Nadav Sharon, M.D., from Carroll Circuit, Eastern District.

CA12-331. Randy Russell v. Andrea Russell, from Sebastian Circuit, Fort Smith District.

CA12-351. James David Carruth v. Mary Ann Carruth, from Union Circuit.

CA12-509. M.L. v. State of Arkansas, from Craighead Circuit, Western District.

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SUBMISSIONS

CA12-535. Elizabeth Worden et al. v. Jeffrey Kirchner, M.D., from Pulaski Circuit, Sixth Division.

CA12-547. Joy B. Hughes v. Anna Dalton, from Sebastian Circuit, Fort Smith District.

CA12-779. D.S. v. State of Arkansas, from Benton Circuit.

CA12-785. R.B. v. State of Arkansas, from Garland Circuit.

CA12-806. J.W.H. v. State of Arkansas, from Benton Circuit.

CA12-946. Nicole Davison v. Arkansas Department of Human Services, from Craighead Circuit, Western District.

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

E12-6. Sonya McAlister v. Director et al.

E12-384. William Barnard III v. Director et al.

E12-750. Johnny Lignitz v. Director et al.

E12-752. Howard Taylor v. Director et al.

E12-753. Bobby Nichols v. Director et al.

E12-754. Elizabeth Dean v. Director et al.

E12-755. Elizabeth Dean v. Director et al.

E12-756. Michael Jones v. Director et al.

E12-757. Derrance Harris v. Director et al.

E12-758. Terence Betts v. Director et al.

E12-759. Dawn Simmons v. Director et al.

E12-760. Bruce Saint v. Director et al.

E12-761. Gregory Tatera v. Director et al.

E12-762. Joe Petit v. Director et al.

E12-763. Richard Harris v. Director et al.

E12-764. Kimberly Rogers v. Director et al.

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SUBMISSIONS

E12-766. William Bryant v. Director et al.

E12-767. Antonio Castello v. Director et al.

E12-768. Brent Hayes v. Director et al.

E12-769. Judith McGee v. Director et al.

E12-770. Thomas Corby v. Director et al.

E12-771. Timothy T. Locklar v. Director et al.

E12-772. Rosa Borden v. Director et al.

E12-773. DNW Automotive & Detail Supply Inc. v. Director et al.

E12-774. John Pierson v. Director et al.

E12-775. Ivory Downs v. Director et al.