

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF FEBRUARY 27, 2013**

ROBERT J. GLADWIN, CHIEF JUDGE:

[CACR12-778](#). Arthur Branch, Jr. v. State of Arkansas, from Crittenden Circuit. Affirmed. Wynne and Hixson, JJ., agree.

[CA12-509](#). M.L. v. State of Arkansas, from Craighead Circuit, Western District. Affirmed. Wynne and Hixson, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR11-536](#). Marcus Patton v. State of Arkansas, from Pope Circuit. Remanded to settle and supplement the record; rebriefing ordered. Gruber and Whiteaker, JJ., agree.

[CACR11-921](#). Robert Andrew Terry v. State of Arkansas, from Crittenden Circuit. Affirmed; motion to withdraw granted. Gruber and Whiteaker, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CACR12-628](#). Jerry Dewayne Savage v. State of Arkansas, from Ashley Circuit. Affirmed. Glover and Brown, JJ., agree.

[CA12-231](#). Sally L. Thomas v. Nadav Sharon, M.D., and Ozarks Regions Health Systems, Inc. d/b/a St. John's Hospital, from Carroll Circuit, Eastern District. Rebriefing ordered. Glover and Brown, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CACR12-521](#). Terrance Duggar v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Wynne and Gruber, JJ., agree.

[CA12-946](#). Nicole Davison v. Arkansas Department of Human Services and M.D. and C.W., Minors, from Craighead Circuit, Western District. Affirmed. Vaught and Wood, JJ., agree.

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ROBIN F. WYNNE, JUDGE:

[CACR11-858](#). Mikal Rasul v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Gladwin, C.J., and Hixson, J., agree.

[CA12-805](#). E.S. v. State of Arkansas, from Benton Circuit. Affirmed; motion to withdraw granted. Gladwin, C.J., and Hixson, J., agree.

[CA12-806](#). J.W.H. v. State of Arkansas, from Benton Circuit. Affirmed. Gladwin, C.J., and Hixson, J., agree.

RITA W. GRUBER, JUDGE:

[CACR12-664](#). Eric L. Kennedy v. State of Arkansas, from Faulkner Circuit. Appeal dismissed. Pittman and Whiteaker, JJ., agree.

[CA12-779](#). D.S., Minor v. State of Arkansas, from Benton Circuit. Motion to withdraw denied; rebriefing ordered. Pittman and Whiteaker, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CA12-547](#). Joy B. Hughes and The Joy B. Hughes Revocable Living Trust v. Anna Dalton, from Sebastian Circuit, Fort Smith District. Affirmed. Pittman and Gruber, JJ., agree.

[E12-384](#). William Barnard III v. Director, Department of Workforce Services, and Utility Protection Service, from the Arkansas Board of Review. Affirmed. Pittman and Gruber, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CACR11-988](#). David Michael Weaver v. State of Arkansas, from Crawford Circuit. Affirmed as modified. Harrison and Wood, JJ., agree.

[CA12-785](#). RB v. State of Arkansas, from Garland Circuit. Rebriefing ordered. Harrison and Wood, JJ., agree.

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KENNETH S. HIXSON, JUDGE:

[CACR12-178](#). Wayne Ladell Taylor, Jr. v. State of Arkansas, from Pulaski Circuit, Seventh Division. Affirmed. Gladwin, C.J., and Wynne, J., agree.

[CA11-1250](#). Whitney Leone Winn v. Arline Bonds and Danny Bonds, from Pulaski Circuit, Sixteenth Division. Affirmed. Harrison and Vaught, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CACR12-508](#). Marcus Washington v. State of Arkansas, from Jefferson Circuit. Affirmed in part; reversed and remanded in part. Harrison and Vaught, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CACR12-743](#). Walter Powell, III v. State of Arkansas, from Benton Circuit. Remanded for supplementation of addendum. Walmsley and Glover, JJ., agree.

[CA12-220](#). Mildred Drake v. Sheridan School District, Risk Management, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Walmsley and Glover, JJ., agree.

[CA12-331](#). Randy Russell v. Andrea Russell, from Sebastian Circuit, Fort Smith District. Affirmed as modified. Walmsley and Glover, 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).

E12-750. 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.

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

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

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

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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 Auto & Detail Supply, Inc. v. Director et al.

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

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

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**PER CURIAM ORDERS**

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

CA12-275. Cynthia Butler Farrell v. Hanford Francis Farrell, from Sebastian Circuit, Fort Smith District. Gruber, J., would grant.

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

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

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CACR12-417. David Edward McLaughlin v. State of Arkansas, from Garland Circuit. Motion of Dale E. Adams for attorney's fees is granted. Allowed \$1,600.00.

CACR12-463. Shane Donovan Wade v. State of Arkansas, from Independence Circuit. Appellee's motion for writ of certiorari to complete the record is granted.

CACR12-548. Vernon Renfroe v. State of Arkansas, from Logan Circuit, Northern District. Motion of Jessica L. Carnes for attorney's fees is granted. Allowed \$1510.00.

CA11-1290. New Balance Athletic Shoe, Inc. v. Whitney Stagg et al., from Washington Circuit. Appellant's status report and motion to continue stay of briefing pending settlement. Noted. Status report due April 16, 2013. Glover, J., not participating.

CA12-456. New Balance Athletic Shoe, Inc. v. Elizabeth L. Tuberville, from Ouachita Circuit. Appellant's status report and motion to continue stay of briefing pending settlement. Noted. Status report due April 16, 2013. Glover, J., not participating.

CA12-594. Linda Sue Lee et al. v. Sheryl E. Jones, from Perry Circuit. Appellants' pro se motion to file a supplemental addendum and for time to consolidate appellants' reply brief is denied without prejudice.

CA12-685. Lawrence Trammell v. Willis Hooks, from Greene Circuit. Appellant's motion for relief from addendum requirement is granted. Harrison, J., not participating.

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**PER CURIAM ORDERS**

CA12-815. Dean Banks v. Randy Riddle et al., from Pike Circuit. Appellees' motion for sanctions is passed until the case is submitted.

CA12-877. Karen Kinslow v. Statewide Restoration, Inc., from Pulaski Circuit, Third Division. Appellee's motion to dismiss appeal is granted.

CA12-988. Ford Motor Company v. Charles Keatts, from Pulaski Circuit, Sixth Division. Appellant's motion to supplement record and to stay briefing schedule is granted. Glover, J., not participating.

CA12-1029. Robert Marcelo Shupbach v. Arkansas Power Electronics International, Inc., from Washington Circuit. Appellant's motion for leave to file appellant's brief under seal is granted.

CA12-1099. Karen Hardcastle v. Ciara Cerrato, from Faulkner Circuit. Appellant's motion to file belated brief is granted. Wood, J., not participating.

CA12-1099. Karen Hardcastle v. Ciara Cerrato, from Faulkner Circuit. Appellee's motion to dismiss appeal is denied. Wood, J., not participating.

CA13-81. Barry R. Gilbow v. Jimmy S. Crawford, from Washington Circuit. Appellee's motion to dismiss appeal is granted.

E12-821. Donald Ramirez v. Director et al., from Arkansas Board of Review. Appellant's motion to consolidate appeals E12-821, E12-820, E12-823 or in the alternative to supplement E12-821 with the records in E12-820 and E12-823. Motion moot.

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**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

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

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

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CA12-634. Kevin Roberts et al v. RABO Agrifinance, Inc., from Ashley Circuit. Appellants' joint motion for additional oral argument time.

CA12-807. Karen S. Worden v. Frank Steven Crow et al., from Carroll Circuit, Western District. Appellant's motion for stay of judgment and for supersedeas pending appeal.

CA12-991. Dr. Mahmood Ahmad v. Dr. Meraj Siddiqui et al., from Independence Circuit. Joint motion to amend record with parties' stipulation of completeness of record.

CA12-1048. Deborah Nowicki et al. v. Kenny Pigue, from Crittenden Circuit. Appellant's motion to remand to correct the record or alternative petition for certiorari to correct the record and motion to extend time or stay the briefing schedule.

E12-1007. Susan Hasson v. Director et al., from Board of Review. Appellant's pro se motion for stay .

E12-1084. Jeffrey Boyer v. Director et al., from Board of Review. Appellant's pro se motion to supplement petition for review.

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**SUBMISSIONS**

CACR12-484. Corey James Williams v. State of Arkansas, from Pulaski Circuit, First Division.

CACR12-662. Reginald Nalls v. State of Arkansas, from Ashley Circuit.

CACR12-783. Ross Jacobs v. State of Arkansas, from Drew Circuit.

CACR12-930. Joshua Daniel Mars v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CA11-886. Clifford Marshall Davis v. Andrea Denise Davis, from Fulton Circuit.

CA12-262. Janie Evins v. Darlene Carvin, from Pulaski Circuit, Third Division.

CA12-613. Nationwide Mutual Insurance Co. v. John Matthews, from Benton Circuit.

CA12-735. Ricky Allen Pope et al. v. John Hancock Mutual Life Ins. Co., from Hot Spring Circuit.

CA12-808. Leonard Stallworth v. Hayes Mechanical, Inc., from Workers' Compensation Commission.

CA12-909. Paul Meadows v. Tyson Foods, Inc., from Workers' Compensation Commission.

CA12-932. Johnnie Foster v. Tyson Poultry, Inc., from Workers' Compensation Commission.

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

E12-362. Melinda Foster v. Director et al.

E12-801. Wanda Pittman v. Director et al.

E12-802. Shelby Presley v. Director et al.

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**SUBMISSIONS**

- E12-803. Lynn Greenwood v. Director et al.
- E12-804. Adrian Heath v. Director et al.
- E12-805. Virginia Caskey v. Director et al.
- E12-806. Johnny Warren v. Director et al.
- E12-807. Robert Patterson v. Director et al.
- E12-808. Charlotte McFall v. Director et al.
- E12-809. Frieda Broadnax v. Director et al.
- E12-810. Cornelius Grissom v. Director et al.
- E12-811. Robert Green v. Director et al.
- E12-812. Leslie Plank v. Director et al.
- E12-813. Leslie Arnold v. Director et al.
- E12-814. Florentina Camarillo v. Director et al.
- E12-815. Jamie D. Gorman v. Director et al.
- E12-816. Bertha Alpe v. Director et al.
- E12-817. Lynlee Ann Holland v. Director et al.
- E12-818. Jimmy Morris v. Director et al.
- E12-819. Momma's Cleaning Service v. Director et al.

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E12-822. Mark Hampton v. Director et al.

E12-825. Hector Portillo v. Director et al.

E12-826. Julie Queen v. Director et al.

E12-827. Kelly Gieringer v. Director et al.

E12-828. Matthew Moore v. Director et al.

E12-829. Vicki Klaser v. Director et al.

E12-830. Jennifer Wood v. Director et al.

E12-831. John Cashier v. Director et al.

E12-833. Tyrone Dancy Jr. v. Director et al.

E12-834. Angel Willis v. Director et al.

E12-835. Deana Ruckman v. Director et al.

E12-836. John Preston v. Director et al.

E12-837. Charles Carter v. Director et al.

E12-838. Dorothy Turner v. Director et al.

E12-839. Samuel Delgado v. Director et al.

E12-840. Larry Williams v. Director et al.

E12-841. Alan Lennon v. Director et al.

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**SUBMISSIONS**

E12-842. Hazel Pierce v. Director et al.

E12-843. Jared Jerkins v. Director et al.

E12-844. Shontressa Woods v. Director et al.

E12-845. Loyd Maxwell v. Director et al.

E12-846. Kristen Brimley v. Director et al.

E12-847. Helen Callicutt v. Director et al.

E12-848. Margaret Hodges v. Director et al.

E12-849. Darlene Grandstaff v. Director et al.

E12-850. Leonard Olsen v. Director et al.

E12-851. Carolyn Reed v. Director et al.

E12-852. Jack Whybark v. Director et al.

E12-853. Freda Williams v. Director et al.

E12-854. Stephen Cox v. Director et al.

E12-855. Joseph Holloway v. Director et al.

E12-856. James Melvin Jr. v. Director et al.

E12-857. Tysha Starnes v. Director et al.

E12-858. Teresa Ward v. Director et al.

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**SUBMISSIONS**

E12-859. Kathryn Mock v. Director et al.

E12-860. Connie Hubbard v. Director et al.

E12-861. Zelda Lopez v. Director et al.

E12-862. Annette Williamson v. Director et al.

E12-863. Michael Mitchell v. Director et al.

E12-864. Johnny Hogan v. Director et al.

E12-865. Deborah Gavin v. Director et al.

E12-866. Anita Beedle v. Director et al.

E12-867. Rodolfo Padilla v. Director et al.

E12-868. Susan Abeyta v. Director et al.

E12-869. Michael Bass v. Director et al.

E12-870. Toi Cox v. Director et al.

E12-871. Jaime Lofton v. Director et al.

E12-872. Tommy Hampton v. Director et al.

E12-873. Keith Basham v. Director et al.

E12-874. Elise Smith v. Director et al.

E12-875. Ricardo Tippitt v. Director et al.

E12-876. Sherwin Stewart v. Director et al.

E12-877. James Sabin v. Director et al.