

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 13, 2013

ROBERT J. GLADWIN, CHIEF JUDGE:

[CA12-932](#). Johnnie Foster v. Tyson Poultry, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Wynne and Hixson, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CACR12-930](#). Joshua Daniel Mars v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Gruber and Whiteaker, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CA12-365](#). K. Daniel Maestri v. Signature Bank of Arkansas, et al., First National Bank of Rogers, Lindsey & Associates, Inc., et al., and Block Realty and Auction, et al., from Washington Circuit. Reversed and remanded. Glover and Brown, JJ., agree.

[CA12-613](#). Nationwide Mutual Insurance Co. v. John Matthews, Jason D. Bennett, Jerry B. Dossey, and Linda J. Dossey, from Benton Circuit. Reversed and remanded. Glover and Brown, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CACR12-641](#). Brian Shackelford v. State of Arkansas, from Sharp Circuit. Affirmed. Vaught and Wood, JJ., agree.

[CACR12-783](#). Ross Jacobs v. State of Arkansas, from Drew Circuit. Affirmed. Vaught and Wood, JJ., agree.

[E12-806](#). Johnny Warren v. Director, Department of Workforce Services and Moore's Retread & Tire Co., from the Arkansas Board of Review. Reversed and remanded. Vaught and Wood, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CACR12-484](#). Corey James Williams v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed. Gladwin, C.J., and Hixson, J., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 13, 2013

RITA W. GRUBER, JUDGE:

[CA11-886](#). Clifford Marshall Davis v. Andrea Denise Davis, from Fulton Circuit. Affirmed. Pittman and Whiteaker, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA12-708](#). Jacqueline Furr v. Anthony James and Cathy James, from Washington Circuit. Affirmed. Gladwin, C.J., and Pittman, Walmsley, Wynne, and Brown, JJ., agree.

[CA12-909](#). Paul Meadows v. Tyson Foods, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Walmsley and Brown, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CACR12-662](#). Reginald Nalls v. State of Arkansas, from Ashley Circuit. Affirmed. Pittman and Gruber, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CACR12-69](#). Carrie Dail v. State of Arkansas, from Poinsett Circuit. Affirmed. Harrison and Wood, JJ., agree.

[CA12-262](#). Janie Evins v. Darlene Carvin, from Pulaski Circuit, Third Division. Reversed and dismissed. Harrison and Wood, JJ., agree.

[CA12-828](#). Josie Payne v. Arkansas Department of Human Services and Minor Child, from Union Circuit. Remanded to supplement record; rebriefing ordered; motion to withdraw denied. Gladwin, C.J., and Pittman, Hixson, and Brown, JJ., agree. Walmsley, Glover, Whiteaker, and Wood, JJ., dissent.

KENNETH S. HIXSON, JUDGE:

[CA12-569](#). Donald D. Splawn and Tammy Splawn v. Barbara Wade, from Garland Circuit. Dismissed. Pittman, Harrison, Wynne, and Gruber, JJ., agree. Gladwin, C.J., and Walmsley, Wood, and Brown, JJ., dissent.

[CA12-808](#). Leonard Stallworth v. Hayes Mechanical, Inc., from the Arkansas Workers' Compensation Commission. Affirmed in part; reversed and remanded in part. Gladwin, C.J., and Wynne, J., agree.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 13, 2013

RHONDA K. WOOD, JUDGE:

[CA12-735](#). Ricky Allen Pope and Christine Shepherd Pope v. John Hancock Mutual Life Insurance Co., from Hot Spring Circuit. Affirmed. Harrison and Vaught, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[E12-362](#). Melinda Foster v. Director of Workforce Services and All Around Landscaping, Inc., from the Arkansas Board of Review. Affirmed. Walmsley and Glover, JJ., agree.

[E12-836](#). John Preston v. Director of Workforce Services and Progress Rail Services, from the Arkansas Board of Review. Reversed and remanded. Walmsley and Glover, JJ., agree.

[E12-840](#). Larry Williams v. Director of Workforce Services, from the Arkansas Board of Review. Reversed and remanded. Walmsley and Glover, JJ., agree.

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).

- E12-801. Wanda Pittman v. Director et al.
- E12-802. Shelby Presley v. Director et al.
- E12-803. Lynn Greenwood v. Director et al.
- E12-804. Adrian Heath v. Director et al.
- E12-805. Virginia Caskey v. Director et al.
- E12-807. Robert Patterson v. Director et al.
- E12-808. Charolette McFall v. Director et al.
- E12-809. Frieda Broadnax v. Director et al.
- E12-810. Cornelius Grisson v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 13, 2013

- 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.
- 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.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 13, 2013

- E12-837. Charles Carter v. Director et al.
- E12-838. DorothyTurner v. Director et al.
- E12-839. Samuel Delgado v. Director et al.
- E12-841. Alan Lennon v. Director et al.
- 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 Callicut 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 v. Director et al.
- E12-857. Tysha Starnes v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MARCH 13, 2013

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

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 13, 2013
PER CURIAM ORDERS

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

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

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

CACR11-803. Scott David Ashcraft v. State of Arkansas, from Grant Circuit. Motion of Bob Frazier for attorney's fees is granted. Allowed \$1,600.00.

CACR11-1075. Tom Aaron Dillard v. State of Arkansas, from Washington Circuit. Motion of Paul M. Gehring for attorney's fees is granted. Allowed \$1,600.00.

CACR12-260. Christian Leon Bustillos et al. v. State of Arkansas, from Lonoke Circuit. Motion of Richard E. Holiman for attorney's fees is granted. Allowed \$1,600.00.

CACR12-439. Johnny Eugene Earls v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Leon Jones, Jr., for attorney's fees is granted. Allowed \$1,600.00.

CACR12-514. Anna Barber v. State of Arkansas, from Boone Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed \$1,600.00.

CACR12-643. Jamie Colter Martin v. State of Arkansas, from Garland Circuit. Motion of Nick Churchill for attorney's fees is granted. Allowed \$1,600.00.

CA12-219. William Curtis v. Michael Lemna et al., from Workers' Compensation Commission. Joint motion to lift stay, file supplemental briefs, and reset oral argument is granted.

CA12-489. Richard Gawenis and Sherry Gawenis v. Alta Resources, LLC, et al. Appellant's motion and amended motion for extension of time or in the alternative for the court to accept Volume II Addendum previously filed is granted.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 13, 2013
PER CURIAM ORDERS

CA12-634. Kevin Roberts et al. v. RABO Agrifinance, Inc., from Ashley Circuit. Appellants' joint motion for additional oral argument time is granted. Harrison, J., not participating.

CA12-1109. Joseph Sublett v. Jeremy Jay Mallett et al., from Faulkner Circuit. Appellant's motion to supplement the record and stay briefing schedule is granted.

CA12-1125. Arkansas Department of Human Services v. Brenda Pope, from Pulaski Circuit, Third Division. Appellant's motion to seal record and brief as confidential is granted.

CA13-12. Ronnie Taylor v. MCSA, LLC, et al., from Union Circuit. Appellees' joint motion to dismiss appeal with prejudice and to stay briefing schedule. Motion to dismiss appeal denied. Appellees' brief due March 28, 2013. Harrison, J., not participating.

CA13-14. Donald Halstead v. Sex Offender Assessment Committee, from Sebastian Circuit, Fort Smith District. Appellant's motion to seal case, stay briefing, and for more brief time is granted.

CA13-75. Timothy Roger Simpson v. Bobby Simpson et al., from Craighead Circuit, Western District. Appellees' motion to dismiss appeal is denied.

CA13-90. Carmen Albarran v. Liberty Health Care Management, from Benton Circuit. Appellant's motion for writ of certiorari to supplement the record and for additional brief time is granted.

CA13-127. Diana Eriksen Hill v. Charles Wayne Hill, from Saline Circuit. Appellee's motion to dismiss appeal and for sanctions. Motion to dismiss appeal is granted. Motion for sanctions is denied.

E13-139. Samantha May v. Director et al., from the Arkansas Board of Review. Pro se motion to file belated appeal is denied.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 13, 2013
MOTIONS SUBMITTED

PETITION FOR REHEARING:

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.

CACR11-921. Robert Andrew Terry v. State of Arkansas, from Crittenden Circuit. Motion of S. Butler Bernard, Jr., for attorney's fees.

CACR11-1261. Roy Dean Spratt v. State of Arkansas, from Desha Circuit. Motion of Dale West for attorney's fees.

CACR12-731. Fred Lee Bohlman v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Mylissia M. Blankenship for attorney's fees.

CACR12-900. Pamela Hooks v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's motion to file belated brief.

CA11-1273. Tom Muccio et al. v. Johnelle Hunt et al., from Washington Circuit. Appellants' motion to supplement the record/file supplemental addendum.

CA12-786. Kyle Whitley et al. v. William Garrett, from Hot Spring Circuit. Appellee's motion to dismiss appeal.

CA12-708. Jacqueline Furr v. Anthony James and Cathy James, from Washington Circuit. Motion of Appellee Cathy James for expansion of page limit for motion for costs and attorney's fees.

CA12-951. Dannie Gilder et al. v. Cedar Ridge Farms, LTD, from Saline Circuit. Appellee's motion to dismiss appeal.

CA12-1112. Shanna Baker v. Mathew A. Baker, from White Circuit. Appellant's motion to supplement the record and to stay briefing time.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 13, 2013

SUBMISSIONS

CA11-915. Esther Edgin et al. v. Central United Life Insurance Co., from Independence Circuit. Argued orally.

CACR12-549. Lawrence Mahomes v. State of Arkansas, from Conway Circuit.

CACR12-677. Earnest Tyler v. State of Arkansas, from Pulaski Probate, Fourth Division.

CACR12-753. William J. Sellers v. State of Arkansas, from Faulkner Circuit.

CACR12-810. Angela Lynn Gasca v. State of Arkansas, from Crawford Circuit.

CA12-611. Jimmie Adams v. St. Vincent Health Systems, from Workers' Compensation Commission.

CA12-766. Nemiah C. Gilliam, Sr., et al. v. Phyllis Sanders, from Pulaski Circuit, Ninth Division.

CA12-826. Deutsche Bank National Trust Co. et al. v. Fineline Development, LLC, from Washington Circuit.

CA12-844. Wendy Sutton (now Singer) v. Russell Sutton, from Jefferson Circuit.

CA12-1014. Patricia Gantt v. Arkansas Department of Human Services and Minor Children, from Pulaski Circuit, Tenth Division.

CA12-1050. Stacy Robertson v. Arkansas Department of Human Services and Minor Children, from Poinsett Circuit.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 13, 2013
SUBMISSIONS

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

E12-463. Kenneth Crisp v. Director et al.

E12-952. Deborah Lamar v. Director et al.

E12-953. Robby Humphries v. Director et al.

E12-954. Raymond Nelson v. Director et al.

E12-955. Leslie Howell v. Director et al.

E12-956. Travis Hubbert v. Director et al.

E12-957. Presby Martin Jr. v. Director et al.

E12-958. Charles Turner v. Director et al.

E12-959. Carol Lawrence v. Director et al.

E12-960. John Stewart III v. Director et al.

E12-961. Gena McGowan v. Director et al.

E12-962. Regina Mornes v. Director et al.

E12-963. Robin McKee v. Director et al.

E12-965. Jordan County Line Liquor v. Director et al.

E12-967. Brandon Dokes v. Director et al.

E12-968. Joseph Childs v. Director et al.

E12-969. Alexis Fuller v. Director et al.

E12-970. William Grochowicz v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 13, 2013
SUBMISSIONS

E12-971. Lisa Allen v. Director et al.

E12-972. Dana Hill v. Director et al.

E12-973. Michael W. Grunwald v. Director et al.

E12-974. Amy Wyatt v. Director et al.

E12-975. Tammy Taskey v. Director et al.

E12-976. Thomas Tobias v. Director et al.

E12-977. Wayne Van de Pol v. Director et al.

E12-978. Tamothy Orr v. Director et al.

E12-979. Mark Alexander v. Director et al.

E12-980. Advance Eyecare of Crossett v. Director et al.

E12-981. Larry Hornaday v. Director et al.

E12-982. Willie R. Litzsey v. Director et al.

E12-983. Cherine Banks v. Director et al.

E12-984. Gina Littlejohn v. Director et al.

E12-985. Carla Hamilton v. Director et al.

E12-986. Nicole Middleton v. Director et al.

E12-987. Felicia Holman v. Director et al.

E12-988. William Hronas v. Director et al.

E12-989. Lacy Gunby v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 13, 2013
SUBMISSIONS

- E12-990. Sherry Perry v. Director et al.
- E12-991. Janice Martinez v. Director et al.
- E12-992. Dennis Conley v. Director et al.
- E12-993. Bad Bobs v. Director et al.
- E12-994. Douglas Chapin v. Director et al.
- E12-995. Elaine Irwin v. Director et al.
- E12-996. Lloyd McCaster v. Director et al.
- E12-997. Jeff Singleton v. Director et al.
- E12-998. Daphne Holly v. Director et al.
- E12-999. Flora Miller v. Director et al.
- E12-1000. Family Practice Associates v. Director et al.
- E12-1001. Christian Matlock v. Director et al.
- E12-1002. Nikki Nelson v. Director et al.
- E12-1004. Lavonne Alexander v. Director et al.
- E12-1005. Jimmy Evans v. Director et al.
- E12-1008. Donald Joshua v. Director et al., from Baxter Probate.
- E12-1009. Brenda Rowland v. Director et al.
- E12-1011. Janett B Warren v. Director et al.
- E12-1012. Raquel McClain v. Director et al.

ARKANSAS COURT OF APPEALS
PROCEEDINGS OF MARCH 13, 2013
SUBMISSIONS

E12-1013. Janet Whitmire v. Director et al.

E12-1014. John Toms v. Director et al.

E12-1015. Tonya Crawford v. Director et al.

E12-1016. Bertha Lewis v. Director et al.

E12-1017. Diane Hubbard v. Director et al.

E12-1018. Angela Rasheed v. Director et al.

E12-1020. Gloria Tate v. Director et al.

E12-1021. Bryant Thorpe v. Director et al.

E12-1022. Emmanuel Watson v. Director et al.

E12-1023. Dawn Shoemaker v. Director et al.

E12-1024. Scott Cambridge v. Director et al.

E12-1025. Florida Hill v. Director et al.

E12-1026. Landry Harris v. Director et al.

E12-1027. Mary Weston v. Director et al.

E12-1028. Timothy Bailey v. Director et al.

E12-1029. Danny Richard v. Director et al.

E12-1031. Jerry Bradley v. Director et al.