

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 1, 2013**

ROBERT J. GLADWIN, CHIEF JUDGE:

[CA12-687](#). Jonathan Faulkner v. Nancy Faulkner, Bri Amber Hoven, and Kim Owen, from Lincoln Circuit. Remanded for further findings. Pittman and Vaught, JJ., agree.

[CA13-71](#). Tanga Strong v. Arkansas Department of Human Services; E.S. and T.S., Minors, from Jefferson Circuit. Affirmed. Pittman and Vaught, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA12-1005](#). Tiffany Bowie v. Arkansas Department of Human Services, from Ashley Circuit. Affirmed. Gladwin, C.J., and Glover, Harrison, and Whiteaker, JJ., agree. Wood, J., dissents.

BILL H. WALMSLEY, JUDGE:

[CACR12-736](#). Aaron Anthony Flemons v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Glover and Whiteaker, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CACR12-754](#). Joseph Baker v. State of Arkansas, from Arkansas Circuit, Southern District. Affirmed. Gruber and Brown, JJ., agree.

[CACR12-804](#). Ike Shawndale Nunn v. State of Arkansas, from Jackson Circuit. Affirmed. Gruber and Brown, JJ., agree.

[CA12-560](#). Gwynn X. Lamont v. Healthcare Capital, Inc., from Faulkner Circuit. Dismissed. Gruber and Brown, JJ., agree.

[CA12-711](#). H.C. v. State of Arkansas, from Faulkner Circuit. Affirmed. Gruber and Brown, JJ., agree.

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RITA W. GRUBER, JUDGE:

[CACR12-985](#). Michael Shane Jolly v. State of Arkansas, from Saline Circuit. Affirmed. Harrison and Brown, JJ., agree.

[CA12-650](#). Pamela Marshall Carroll v. Richard Dale Carroll, from Jefferson Circuit. Dismissed. Harrison and Brown, JJ., agree.

[CA12-730](#). Robert Fureigh v. Michael G. Horn and W.M. Hogan, from Pulaski Circuit, Second Division. Dismissed. Harrison and Brown, JJ., agree.

[CA12-1045](#). Darby Bolus v. Jack Cecil Hardware and Employers Mutual Casualty, from the Arkansas Workers' Compensation Commission. Affirmed. Harrison and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA12-921](#). Stephens Production Company v. Boyd Blackard, Terry Blackard, and Barbara Blackard, from Johnson Circuit. Rebriefing ordered. Walmsley and Whiteaker, JJ., agree.

[CA12-983](#). In the Matter of the Estate of Lewis Weldon Adair, Deceased v. Audria J. Adair, from Hemstead Circuit. Affirmed. Walmsley and Whiteaker, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CA12-701](#). F. Allan Midyett v. Nancy Midyett, from Washington Circuit. Rebriefing ordered. Walmsley and Glover, JJ., agree.

[CA12-781](#). Robert J. Allen v. Nadeshda Allen from Sebastian Circuit, Fort Smith District. Appeal dismissed. Walmsley and Glover, JJ., agree.

[CA13-54](#). Kenneth Brian Martin v. Arkansas Department of Human Services and N.M., Minor Child, from Boone Circuit. Remanded to supplement record; rebriefing ordered; motion to withdraw denied. Walmsley and Glover, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CA12-1120](#). Jason Hayes, Natasha Hayes v. Arkansas Department of Human Services and Minor Children, from Carroll Circuit, Eastern District. Affirmed; motions granted. Gladwin, C.J., and Pittman, J., agree.

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KENNETH S. HIXSON, JUDGE:

[CA13-45](#). Greg Armstrong v. Arkansas Department of Human Services and Minor Child, from Sebastian Circuit, Fort Smith District. Affirmed; motion granted. Wynne and Wood, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CA12-970](#). Sharon Scarborough and Ronald “Joe” Scarborough v. Arkansas Department of Human Services and Minor Child, from Pulaski Circuit, Eleventh Division. Affirmed. Walmsley and Glover, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CA12-663](#). Gail Parkerson v. Janet Brown et al., from Garland Circuit. Rebriefing ordered. Harrison and Gruber, JJ., agree.

[CA12-1030](#). John D. Wells v. Linda F. Wells, from Sebastian Circuit, Fort Smith District. Affirmed. Harrison and Gruber, JJ., agree.

[CA13-23](#). Angela Porter v. Arkansas Department of Human Services and Minor Child, from Washington Circuit. Affirmed. Harrison and Gruber, 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).

E12-1163. Suzanne Kennedy v. Director et al.

E12-1164. Joseph Anderson v. Director et al.

E13-1. Timothy Cahill v. Director et al.

E13-2. Erma Christopher v. Director et al.

E13-4. Stephen Mann v. Director et al.

E13-5. Larry Reese v. Director et al.

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**PER CURIAM ORDERS**

PETITION FOR REHEARING: Petition for Rehearing was denied today in the following case.

CA12-1020. Jacob Brown v. Arkansas Department of Human Services and T.B., D.A., and L.A., Minors, from Carroll Circuit, Eastern District.

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CACR12-508. Marcus Washington v. State of Arkansas, from Jefferson Circuit. Motion of Rebekah Kennedy for attorney's fees is granted. Allowed \$1,600.00.

CACR12-549. Lawrence Mahomes v. State of Arkansas, from Conway Circuit. Motion of Paul J. Teufel for attorney's fees is granted. Allowed \$1,600.00.

CACR12-809. John David Pevetoe v. State of Arkansas, from Crawford Circuit. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,200.00.

CACR12-810. Angela Lynn Gasca v. State of Arkansas, from Crawford Circuit. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,400.00.

CACR12-913. Maurice Cosen v. State of Arkansas, from Jefferson Circuit. Appellant's motion to file belated and corrected brief is granted.

CACR13-144. Jon Aaron Shatwell v. State of Arkansas, from Boone Circuit. Appellant's motion for leave to file belated brief is granted.

CA11-1273. Tom Muccio et al. v. Johnelle Hunt et al., from Washington Circuit. Order on Judicial Remand. Noted. Vaught, J., not participating.

CA11-1290. New Balance Athletic Shoe, Inc. v. Whitney Staggs and Jennifer Vaughn, from Washington Circuit. Appellant's status report and motion to dismiss appeal and close case is granted. Glover, J., not participating.

CA12-456. New Balance Athletic Shoe, Inc. v. Elizabeth L. Tuberville, from Washington Circuit. Appellant's status report and motion to dismiss appeal and close case is granted. Glover, J., not participating.

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**PER CURIAM ORDERS**

CA12-479. Peter Brave v. Marie Brave, from Pulaski Circuit, Sixteenth Division. Appellee's motion to dismiss appellant's appeal is passed until the case is submitted.

CA12-806. J.W.H. v. State of Arkansas, from Benton Circuit. Motion of Jeannette Denham-Turner for attorney's fees is granted. Allowed \$1,600.00.

CA12-943. Steven Lynn Williams v. Office of Child Support Enforcement, from Garland Circuit. Appellee's motion to dismiss appeal is denied. Appellee's motion for extension of brief time is granted.

CA12-1016. John Gerard d/b/a Quality Construction v. Jason Novak et al., from Lonoke Circuit. Appellees' motion to reschedule oral argument is granted.

CA12-1047. J.A.C. v. State of Arkansas, from Conway Circuit. Appellant's motion to file belated brief. Appellant's motion to accept belated brief is granted.

CA12-1093. Brook A. Rogers v. Dena A. Rogers, from Pulaski Circuit, Fifteenth Division. Appellant's motion to supplement the record and to stay briefing schedule is granted.

CA13-101. Stephanie Sellers v. Arkansas Department of Human Services, from Washington Circuit. Appellee's motion to accept belated brief is granted. Hixson, J., not participating.

E13-324. Marcellus White v. Director et al., from Board of Review. Pro se motion to file belated appeal is denied.

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**MOTIONS SUBMITTED**

PETITION FOR REHEARING:

CA12-405. Joanie Harp v. Security Credit Services, LLC, from Pulaski Circuit, Sixth Division.

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CACR12-615. Christopher Dewayne Dodge v. State of Arkansas, from Sebastian Circuit, Greenwood District. Motion of Darren Alexander Gibbs for attorney's fees.

CACR12-630. Cindy L. McLane v. State of Arkansas, from Crittenden Circuit. Motion of Shaun Hair for attorney's fees.

CACR12-718. Arthur T. Piper v. State of Arkansas, from Drew Circuit. Motion of Joseph P. Mazzanti, III for attorney's fees and expenses.

CACR13-70. Harold Stevie Robinson v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellee's motion to dismiss appeal and for time.

CACR13-72. Chadwick Smart v. State of Arkansas, from White Circuit. Appellee's motion to dismiss appeal.

CA12-808. Leonard Stallworth v. Hayes Mechanical, Inc., from Workers' Compensation Commission. Appellant's pro se motion to amend the mandate.

CA12-1084. Harold "Bud" Ward v. Linda Ward Tutton, from Pulaski Circuit, Seventeenth Division. Notice of Bankruptcy.

CA13-3. Bank of the Ozarks, Inc., et al. v. Robert Walker, from Lonoke Circuit. Appellants' motion to correct record.

CA13-210. Searcy Healthcare Center, LLC, et al. v. Johnny Murphy, from White Circuit. Appellants' motion to dismiss cross-appeal.

CA13-319. Asset Acceptance, LLC v. Amy Murphy Newby, from Pulaski Circuit, Sixth Division. Appellant's motion for stay of trial court proceedings pending interlocutory appeal.

E13-233. Reginald Davis v. Director et al., from Board of Review. Appellees' motion to remand.

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**SUBMISSIONS**

CA12-994. Asbury Automotive Group, Inc., et al. v. Robert Floyd McCain, Jr. and Tafta J. McCain, from Ashley Circuit. Argued orally.

CACR12-234. Eugene Thomas, III v. State of Arkansas, from Chicot Circuit.

CACR12-399. Rodney Scott Porta v. State of Arkansas, from Crawford Circuit.

CACR12-632. Erich Lemarc Devonne v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR12-700. Kurtis A. Jensen v. State of Arkansas, from Garland Circuit.

CACR12-839. Honor Williams v. State of Arkansas, from Crittenden Circuit.

CACR12-842. Carlos D. Williams v. State of Arkansas, from Crittenden Circuit.

CACR12-843. Maurice Jefferson v. State of Arkansas, from Crittenden Circuit.

CACR12-878. Bryan Lewis v. State of Arkansas, from Crittenden Circuit.

CACR12-934. Gerry D. Seals v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CACR12-963. Edward Emerson v. State of Arkansas, from Faulkner Circuit.

CA12-1017. Ora Carruth v. Arkansas Department of Correction, from Workers' Compensation Commission.

CA12-1018. State of Arkansas v. Vincent Hatfield, from Baxter Circuit.

CA12-1025. Amber Wilkerson v. St. Edwards Mercy Medical Center, from Workers' Compensation Commission.

CA12-1026. Odell Pollard, P.A. v. Seeco, Inc., from White Circuit.

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**SUBMISSIONS**

CA12-1032. Mark S. Carter v. Odis Waymack, from Lonoke Circuit.

CA13-52. Heather Penn v. Arkansas Department of Human Services, from Lonoke Circuit.

CA13-86. Tiffany Pfeifer v. Arkansas Department of Human Services, from Union Circuit.

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

E13-17. Faucette Re v. Director et al.

E13-18. Rick Jenkins v. Director et al.

E13-19. Samuel Beyerle v. Director et al.

E13-20. Myron Martinez v. Director et al.

E13-21. Frankie Vann v. Director et al.

E13-22. Lawrence Brown v. Director et al.