

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 29, 2013**

**ROBERT J. GLADWIN, CHIEF JUDGE:**

[CV-12-1052](#). Tiffany Witham v. Michelle Beck, from White Circuit. Affirmed. Hixson and Brown, JJ., agree.

[CV-12-1086](#). Paul Gordon v. David Conrad Draper and Bonnie Lee Ann Draper, from Grant Circuit. Affirmed. Hixson and Brown, JJ., agree.

**JOHN MAUZY PITTMAN, JUDGE:**

[CV-13-39](#). Gore Engineering Associates, Inc. v. Arkansas Contractors Licensing Board, from Benton Circuit. Affirmed. Walmsley and Wood, JJ., agree.

**BILL H. WALMSLEY, JUDGE:**

[CV-12-586](#). Williams Tractor, Inc. v. ANB Venture, LLC, from Benton Circuit. Affirmed. Pittman and Wood, JJ., agree.

[E-13-52](#). Patrick Brown v. Director, Department of Workforce Services, and Sandalwood Healthcare, from the Arkansas Board of Review. Reversed and remanded. Pittman and Wood, JJ., agree.

**BRANDON J. HARRISON, JUDGE:**

[CV-12-1082](#). Steven L. Jones, Donna and Lindell Cooper, and Gaye and James E. Smith v. Suzanne Runsick f/k/a Suzanne Cook Bangs, from Iazard Circuit. Affirmed. Wynne and Whiteaker, JJ., agree.

[CR-12-1091](#). Judith Ann Piggee v. State of Arkansas, from Faulkner Circuit. Affirmed. Wynne and Whiteaker, JJ., agree.

**ROBIN F. WYNNE, JUDGE:**

[CV-12-594](#). Linda Sue Lee v. Sherlyn E. Jones, Susan M. Scroggins, and Petit Jean State Bank, from Perry Circuit. Affirmed. Harrison and Whiteaker, JJ., agree.

**RITA W. GRUBER, JUDGE:**

[CV-13-57](#). Clifford Rich v. Qualserv Corporation and the Hartford Insurance Co., from the Arkansas Workers' Compensation Commission. Rebriefing ordered. Glover and Vaught, JJ., agree.

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RITA W. GRUBER, JUDGE: (continued)

[E-12-966](#). Denise Smith v. Director, Arkansas Department of Workforce Services, and Northwest Arkansas Federal Credit Union, from the Arkansas Board of Review. Affirmed. Glover and Vaught, JJ., agree.

DAVID M. GLOVER, JUDGE:

[E-12-1006](#). Domingo Roberto Rodriguez v. Director, Department of Workforce Services, and Walmart, from the Arkansas Board of Review. Reversed and remanded. Gruber and Vaught, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[E-12-665](#). Rosie Parham v. Director, Department of Workforce Services, and Habilitation Center, from the Arkansas Board of Review. Affirmed. Gruber and Glover, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-12-888](#). Iline Tadlock v. Randy Moncus, Administrator of the Estate of Peggy Stewart, Deceased, from Pike Circuit. Affirmed. Gladwin, C.J., and Brown, J., agree.

[CV-12-1036](#). Vicki Tittle Wilson and Michael Shea Tittle v. Martha Lindvall and the Estate of Alvin H. Tittle, Deceased, from Hot Spring Circuit. Affirmed. Gladwin, C.J., and Brown, J., agree.

RHONDA K. WOOD, JUDGE:

[CV-12-818](#). E.N. v. State of Arkansas, from Benton Circuit. Affirmed. Pittman and Walmsley, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CV-13-13](#). Bill Hoek v. Val Environmental Systems, from Polk Circuit. Dismissed without prejudice. Gladwin, C.J., and Hixson, J., agree.

[CV-13-34](#). Suzanne Proctor v. Cabot School District, from Lonoke Circuit. Affirmed. Gladwin, C.J., and Hixson, J., 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).

- E13-36. Patricia A. Wright v. Director et al.
- E13-37. Patrina Cobbs v. Director et al.
- E13-38. Brandie Conner v. Director et al.
- E13-43. Ashlee Jones v. Director et al.
- E13-44. Diane M. Carter v. Director et al.
- E13-45. Glenda Price v. Director et al.
- E13-46. Portia Pierce v. Director et al.
- E13-47. Jeffery Dorsey v. Director et al.
- E13-48. Jamerson Odell v. Director et al.
- E13-49. Sedra Young v. Director et al.
- E13-50. Sherry Harris v. Director et al.
- E13-51. Donald Dykes v. Director et al.
- E13-53. Mylene Martinez v. Director et al.
- E13-54. Bill M. Yates v. Director et al.
- E13-55. Brenna Matkin v. Director et al.
- E13-56. Randy May v. Director et al.
- E13-57. Horl Logan v. Director et al.

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**PER CURIAM ORDERS**

CR-12-776. TRACY L. BROWN V. STATE OF ARKANSAS, FROM LONOKE CIRCUIT MOTION OF JONATHAN T. LANE FOR ATTORNEY'S FEES IS GRANTED. ALLOWED \$1,600.00.

CR-12-981. RICHARD J. JACKSON, JR. V. STATE OF ARKANSAS, FROM CLARK CIRCUIT. APPELLANT'S PRO SE MOTION FOR DISCOVERY IS DENIED.

CR-13-164. CHRISTOPHER CLARK V. STATE OF ARKANSAS, FROM JEFFERSON CIRCUIT. APPELLANT'S PRO SE MOTION TO SET ASIDE FELONY INFORMATION WITH A CHANGE OF VENUE AND MOTION TO PROVE INEFFECTIVE ASSISTANCE OF COUNSEL. TREATED AS PRO SE POINTS. TO BE SUBMITTED WITH CASE.

CR-13-233. BRIAN ROBERT HILL V. STATE OF ARKANSAS, FROM SEBASTIAN CIRCUIT. APPELLANT'S PRO SE MOTION TO WITHDRAW MOTION REQUESTING BRIEF BE WITHDRAWN, FOR NEW COUNSEL AND FOR EXTENSION OF TIME TO FILE A NEW BRIEF. MOTION MOOT.

CACR-13-233. BRIAN ROBERT HILL V. STATE OF ARKANSAS, FROM SEBASTIAN CIRCUIT. APPELLANT'S PRO SE MOTION TO WITHDRAW MOTION REQUESTING BRIEF BE WITHDRAWN, FOR NEW COUNSEL AND FOR EXTENSION OF TIME TO FILE A NEW BRIEF IS GRANTED.

CACR-13-246. MARK DAVID JOHNSON V. STATE OF ARKANSAS, FROM DREW CIRCUIT. APPELLANT'S MOTION TO SUPPLEMENT THE RECORD IS GRANTED. RECORD DEEMED SUPPLEMENTED.

CV-13-302. HANNAH V. ARKANSAS DEPT. OF HUMAN SERVICES ET AL, FROM WASHINGTON CIRCUIT. APPELLANT'S MOTION TO SUPPLEMENT RECORD IS GRANTED.

CV-13-356. KOLBECK ET AL. V. TRUCK INSURANCE EXCHANGE, FROM SEBASTIAN CIRCUIT. MOTION OF RONALD W. METCALF FOR WITHDRAWAL OF APPEARANCE ON BEHALF OF STEVE JOHNSON IS GRANTED. HARRISON AND GLOVER, J., NOT PARTICIPATING.

CV-13-368. GARY ZULPO V. CAREY & DANIS, LLC, FROM FAULKNER CIRCUIT. APPELLEES' MOTION TO DISMISS APPEAL AND TO STAY BRIEFING SCHEDULE IS DENIED. WOOD, J., NOT PARTICIPATING.

E-13-427. BRUCE WHITE V. DIRECTOR ET AL., FROM BOARD OF REVIEW. MOTION TO FILE BELATED APPEAL IS DENIED.

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**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CV-12-382. ROBERT SPEARS ET AL V. RECONTRUST COMPANY, N.A., ET AL., FROM PULASKI CIRCUIT.

CR-12-234. EUGENE THOMAS, III V. STATE OF ARKANSAS, FROM CHICOT CIRCUIT. MOTION OF JOSEPH P. MAZZANTI, III, FOR ATTORNEY'S FEES.

CR-12-318. JUSTIN R. WEST V. STATE OF ARKANSAS, FROM GARLAND CIRCUIT. MOTION OF CHAD M. GREEN FOR ATTORNEY'S FEES.

CR-12-632. ERICH LEMARC DEVONNE V. STATE OF ARKANSAS, FROM SEBASTIAN CIRCUIT. MOTION OF CAMILLE EDMISON-WILHELMI FOR ATTORNEY'S FEES

CR-12-849. JACQUES SLOCUM V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT. MOTION OF LATONYA LAIRD AUSTIN FOR ATTORNEY'S FEES.

CR-12-963. EDWARD EMERSON V. STATE OF ARKANSAS, FROM FAULKNER CIRCUIT. MOTION OF LORIE L. MASON FOR ATTORNEY'S FEES

CR-12-999. CHRISTOPHER DEAN KING V. STATE OF ARKANSAS, FROM BRADLEY CIRCUIT. MOTION OF GARY POTTS FOR ATTORNEY'S FEES

CV-12-1056. J.A.C. V. STATE OF ARKANSAS, FROM YELL CIRCUIT. JOINT MOTION TO CONSOLIDATE CACR10-1047 AND CACR12-1056

CV-12-688. THOMAS QUEEN V. NORTEL NETWORKS, INC. ET AL, FROM ARKANSAS CIRCUIT. APPELLEES' MOTION FOR EXTENSION OF TIME

CV-12-712. EVANGELICAL LUTHERAN V. ROBERT KOLESAR, FROM SALINE CIRCUIT. MOTION TO AMEND JURISDICTIONAL STATEMENT

CV-12-712. EVANGELICAL LUTHERAN V. ROBERT KOLESAR, FROM SALINE CIRCUIT. APPELLEE'S MOTION TO DISMISS APPEAL

CV-12-921. STEPHENS PRODUCTION COMPANY V. BOYD BLACKARD ET AL, FROM JOHNSON CIRCUIT. MOTION TO CORRECT AND SUPPLEMENT RECORD.

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**MOTIONS SUBMITTED**

CV-12-988. FORD MOTOR COMPANY V. CHARLES KEATTS, FROM PULASKI CIRCUIT. APPELLEE'S MOTION TO CORRECT BRIEF

CV-13-309. TIM CLARK ET AL. V. SOUTHERN FARM BUREAU CASUALTY INS., FROM PULASKI CIRCUIT. APPELLEE'S MOTION TO DISMISS APPEAL

CV-13-354. TASSIE ANTHONY V. ARKANSAS DEPT. OF HUMAN SERVICES ET AL., FROM CRAIGHEAD CIRCUIT. STIPULATION BY PARTIES TO SUPPLEMENT THE RECORD AND STAY BRIEF TIME.

E-13-449. DIAN THOMPSON V. DIRECTOR ET AL., FROM BOARD OF REVIEW. MOTION TO FILE BELATED APPEAL.

E-13-476. GEORGE TAYLOR CONDREY V. DIRECTOR ET AL. APPELLEES' RESPONSE TO MOTION TO FILE BELATED APPEAL

E-13-476. GEORGE TAYLOR CONDREY V. DIRECTOR ET AL. MOTION TO FILE BELATED APPEAL

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**SUBMISSIONS**

CV-12-648. WARREN SCHOOL DISTRICT V. ROBERT A. AVERY, FROM BRADLEY CIRCUIT. ORALLY ARGUED.

CR-11-788. GLEN ERIC NELSON, JR. V. STATE OF ARKANSAS, FROM SEBASTIAN CIRCUIT.

CR-12-1079. WILLIAM NICKELS COLLINS V. STATE OF ARKANSAS, FROM FAULKNER CIRCUIT.

CR-12-584. BRANDON CLARK FRITTS V. STATE OF ARKANSAS, FROM SEBASTIAN CIRCUIT.

CR-12-724. OLIVIA MOODY V. STATE OF ARKANSAS, FROM JEFFERSON CIRCUIT.

CR-12-866. DOUGLAS W. KIRBY V. STATE OF ARKANSAS, FROM WASHINGTON CIRCUIT.

CR-12-917. JONATHAN EDWARD BRAWNER V. STATE OF ARKANSAS, FROM FAULKNER CIRCUIT.

CR-12-972. CURTIS RICHEY V. STATE OF ARKANSAS, FROM LAWRENCE CIRCUIT.

CR-12-975. ERIC CASTRELLON V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT.

CV-11-1146. RACHAEL BATES ZINGELMAN V. ADHS ET AL., FROM RANDOLPH CIRCUIT.

CV-12-1037. CHARLOTTE HALL HARDIN ET AL. V. INDIA BISHOP ET AL., FROM JEFFERSON CIRCUIT.

CV-12-1042. TREENA CARROLL V. JOHN CARROLL, FROM PULASKI CIRCUIT.

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**SUBMISSIONS**

CV-12-1075. A. H. V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT. CV-12-1081. SWINDLE V. ROGERS BOARD OF EDUCATION ET AL., FROM BENTON CIRCUIT.

CV-12-460. MICHAEL ALAN DUGAS V. KATHY JEAN KELLS, FROM FAULKNER CIRCUIT.

CV-12-707. ROBERT A. AVERY V. WARREN SCHOOL DISTRICT, FROM BRADLEY CIRCUIT.

CV-12-915. ESSENTIAL ACCOUNTING SYSTEMS, INC. V. DEWBERRY, FROM GARLAND CIRCUIT.

CV-12-956. TODD HIGGINBOTHAM AND ROWDY BOYS, LLC V. MARY G. GRAHAM, FROM CRAIGHEAD CIRCUIT.

CV-13-136. MCBRIDE V. ARKANSAS DEPT. OF HUMAN SERVICES ET AL., FROM JEFFERSON CIRCUIT.

CV-13-147. INGLE V. ARKANSAS DEP'T OF HUMAN SERVICES ET AL., FROM WASHINGTON CIRCUIT.

CV-13-152. JACKSON V. ARKANSAS DEP'T OF HUMAN SERVICES ET AL., FROM WASHINGTON CIRCUIT.

CV-13-165. LEONARD AUSTIN V. ARKANSAS DEP'T OF HUMAN SERVICES, FROM

CV-13-229. ARKANSAS MERCY HEALTH SYSTEM OF NORTHWEST ARKANSAS V. MCGRAW, FROM BENTON CIRCUIT.

CV-13-58. LARRY COOPER V. ANNETTE COOPER, FROM PULASKI CIRCUIT.



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**SUBMISSIONS**

**THE FOLLOWING CASES ARE APPEALS FROM THE ARKANSAS BOARD OF REVIEW.**

E-13-61. QUILLAR POWELL V. DIRECTOR ET AL.

E-13-69. MYTRICE GORTNEY V. DIRECTOR ET AL.

E-13-70. CALVIN SINGLETON V. DIRECTOR ET AL.

E-13-71. DEBRA HOWARD V. DIRECTOR ET AL.

E-13-72. LARRY GRIFFIN V. DIRECTOR ET AL.

E-13-73. STEVEN LANE V. DIRECTOR ET AL.

E-13-74. CHALLENGER INC V. DIRECTOR ET AL.

E-13-76. ANGEL LIGHT V. DIRECTOR ET AL.

E-13-77. TOMMY ISOM V. DIRECTOR ET AL.

E-13-78. TRACY WASHINGTON V. DIRECTOR ET AL.

E-13-79. CATHERINE HALL V. DIRECTOR ET AL.