

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF MAY 22, 2013

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-12-999](#). Christopher Dean King v. State of Arkansas, from Bradley Circuit. Affirmed; motion to withdraw granted. Hixson and Brown, JJ., agree.

[CV-12-815](#). Dean Banks v. Randy Riddle and Donna Riddle, d/b/a D&R Marine & RV Service, from Pike Circuit. Dismissed in part; affirmed in part. Hixson and Brown, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CR-12-632](#). Erich Lemarc Devonne v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed; motion to withdraw granted. Walmsley and Wood, JJ., agree.

[CV-12-110](#). Loca Luna, LLC, and Wilkes-Abernathy, LLC v. Board of Adjustment, City of Little Rock et al., from Pulaski Circuit, Fifth Division. Affirmed. Walmsley and Wood, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CR-12-820](#). Raymond Wilson v. State of Arkansas, from Mississippi Circuit, Chickasawba District. Affirmed. Harrison and Whiteaker, JJ., agree.

[CV-12-994](#). Asbury Automotive Group, Inc., and Asbury Atlanta Jaguar, L.L.C. v. Robert Floyd McCain, Jr., and Tafta J. McCain, from Ashley Circuit. Reversed and remanded. Harrison and Whiteaker, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-12-1035](#). Chesapeake Exploration, LLC v. Thomas Whillock and Gayla Whillock, from Van Buren Circuit. Rebriefing ordered. Glover and Vaught, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CR-12-963](#). Edward Emerson v. State of Arkansas, from Faulkner Circuit. Remanded to settle the record; rebriefing ordered. Gruber and Vaught, JJ., agree.

[CV-13-120](#). Rebecca Jimmerson v. Arkansas Department of Human Services and Minor Children, from Washington Circuit. Affirmed; motion to be relieved granted. Gruber and Vaught, JJ., agree.

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PHILLIP T. WHITEAKER, JUDGE:

[CR-12-879](#). Natasha Nicole King v. State of Arkansas, from Pulaski Circuit, First Division. Dismissed; motion to withdraw granted. Harrison and Wynne, JJ., agree.

[CV-13-133](#). Shannon Block v. Arkansas Department of Human Services and Minor Children, from Pope Circuit. Affirmed; motion to withdraw granted. Harrison and Wynne, JJ., agree.

[CV-12-769](#). Stephen David Davenport v. Katherine Ann Davenport Uselton, from Sebastian Circuit, Greenwood District. Affirmed in part; reversed and remanded in part for clarification. Walmsley and Glover, JJ., agree.

[CV-12-1025](#). Amber Wilkerson v. St. Edward Mercy Medical Center and Sisters of Mercy Health System, from the Arkansas Workers' Compensation Commission. Affirmed. Harrison and Wynne, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CV-12-1117](#). Albaro Vijil v. Schlumberger Technology Corp., St. Paul Travelers, and Second Injury Fund, from the Arkansas Workers' Compensation Commission. Affirmed. Gruber and Glover, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-12-860](#). Gary Jackson, d/b/a Supermart v. Sewell Oil Company, Inc., from Dallas Circuit. Appeal dismissed. Gladwin, C.J., and Brown, J., agree.

[CV-12-1041](#). Richard Herring v. Kristie Herring (now Beck), from Union Circuit. Affirmed. Gladwin, C.J., and Brown, J., agree.

WAYMOND M. BROWN, JUDGE:

[CV-12-890](#). Johnnie Black, as Special Administratrix of the Estate of Everette R. Black, Deceased v. John Rowen, M.D., and JP Rowen Surgery, PLLC, from Pulaski Circuit, Third Division. Affirmed. Gladwin, C.J., and Hixson, J., agree.

[E-12-317](#). Ethan O. Moody v. Director, Department of Workforce Services, and Arkansas Highway and Transportation Department, from the Arkansas Board of Review. Rebriefing ordered. 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).

- E13-24. Anna Criswell v. Director et al.
- E13-25. Wilma Thomas v. Director et al.
- E13-26. Rockey Kelley v. Director et al.
- E13-27. Michael W. Jones v. Director et al.
- E13-28. Steven Davidson v. Director et al.
- E13-29. Sean Green v. Director et al.
- E13-30. John Battaglear v. Director et al.
- E13-31. Richard Gunter v. Director et al.
- E13-32. Carolyn Briggs v. Director et al.
- E13-33. Antonette Sauerwein v. Director et al.
- E13-34. Stephen Hansenko v. Director et al.
- E13-35. Mayflower RV v. Director et al.

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PER CURIAM ORDERS

CR-12-736. Aaron Anthony Flemons v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Lesley Freeman Burleson for attorney's fees is granted. Allowed \$1,800.00.

CR-12-754. Joseph Baker v. State of Arkansas, from Arkansas Circuit, Southern District. Motion of Stephen A. Shoptaw for attorney's fees is granted. Allowed \$1,800.00.

CR-12-804. Ike Shawndale Nunn v. State of Arkansas, from Jackson Circuit. Motion of C. Scott Nance for attorney's fees is granted. Allowed \$1,800.00.

CR-13-15. Tracy M. Standridge v. State of Arkansas, from Baxter Circuit. Renewed motion of Clifford C. Collins to withdraw as attorney of record and to stay briefing schedule is granted.

CR-13-15. Tracy M. Standridge v. State of Arkansas, from Baxter Circuit. Pro se motion for sanctions/response to renewed motion is denied.

CR-13-97. Trevailes Dotson v. State of Arkansas, from Howard Circuit. Appellant's pro se motion for appointment of counsel is denied.

CV-11-1273. Tom Muccio et al. v. Johnelle Hunt et al., from Washington Circuit. Appellees' motion to strike supplemental record and to strike certain lines in Muccio's opening brief is granted. Vaught, J., not participating.

CV-12-450. George Hobson and Montie Hobson v. Entergy Arkansas, Inc., from Pulaski Circuit, Sixth Division. Appellants' motion to file belated reply brief is denied. Vaught, J., not participating.

CV-12-779. D.S. v. State of Arkansas, from Benton Circuit. Appellant's belated motion for time to file pro se points on appeal is granted.

CV-12-815. Dean Banks v. Randy Riddle et al., from Pike Circuit. Appellees' motion for sanctions is denied. *See* opinion this date.

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PER CURIAM ORDERS

CV-13-208. Minnie Coulter et al. v. Hon. Joe Griffin et al., from Miller Circuit. Appellants' motion for summary judgment is denied.

CV-13-340. Donald Ray Stratton, Jr. v. Linda Stratton, from Benton Circuit. Appellee's motion to dismiss appeal is passed until the case is submitted.

E-13-420. Nigel Watkins v. Director et al., from Board of Review. Pro se motion to file belated appeal is denied.

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PROCEEDINGS OF MAY 22, 2013

MOTIONS SUBMITTED

CR-12-776. Tracy L. Brown v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees.

CR-12-981. Richard J. Jackson, Jr. v. State of Arkansas, from Clark Circuit. Appellant's pro se motion for discovery.

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.

CR-13-233. Brian Robert Hill v. State of Arkansas, from Sebastian Circuit, Greenwood District. Pro se motion requesting brief be withdrawn, for new counsel, and for extension of time to file a new brief.

CR-13-233. Brian Robert Hill v. State of Arkansas, from Sebastian Circuit, Greenwood District. Pro se motion to withdraw motion requesting brief be withdrawn, for new counsel, and for extension of time to file a new brief.

CR-13-246. Mark David Johnson v. State of Arkansas, from Drew Circuit. Appellant's motion to supplement the record.

CV-13-302. Nicole Fredrick Hannah v. Arkansas Department of Human Services, from Washington Circuit. Appellant's motion to supplement the record.

CV-13-356. Desiree Kolbeck et al v. Truck Insurance Exchange, from Sebastian Circuit, Fort Smith District. Motion of Ronald W. Metcalf for withdrawal of appearance on behalf of Steve Johnson.

CV-13-368. Gary Zulpo et al. v. Carey & Danis, LLC, from Faulkner Circuit. Appellees' motion to dismiss appeal and to stay briefing schedule.

CV-13-372. Guy D. Czajka v. Butterball Turkey Co., from Workers' Compensation Commission. Appellant's pro se motion to supplement the record.

E-13-427. Bruce White v. Director et al., from Board of Review. Pro se motion to file belated appeal.

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SUBMISSIONS

CV-12-1125. Arkansas Department of Human Services v. Brenda Pope, from Pulaski Circuit, Third Division. Argued orally.

E-12-495. Elizabeth Weinstein v. Director et al. Argued orally.

CR-12-404. Michael Dewayne Copeland v. State of Arkansas, from Ouachita Circuit.

CR-12-469. Jesse Hoodenpyle v. State of Arkansas, from Crawford Circuit.

CV-12-691. Charles Jones v. Myra Jones, from Independence Circuit.

CV-12-693. Susan Quattlebaum et al. v. Dr. Rodney McCarver, from Pulaski Circuit, Third Division.

CV-12-772. Jonathan Murphy et al. v. Bunge North America, Inc., from Jefferson Circuit.

CV-12-814. Don Fuller v. City of Kensett, from White Circuit.

CV-12-942. Larry Knesek, Jr., et al. v. Cameron Hubbs Construction, Inc., from Crawford Circuit.

CV-13-53. Shannon Madison et al. v. Arkansas Department of Human Services and Minor Children, from Craighead Circuit, Western District.

CV-13-99. E.S. v. State of Arkansas, from Craighead Circuit, Western District.

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SUBMISSIONS

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

E-12-368. Julie Ivy v. Director et al.

E-13-41. Timothy Mitchell v. Director et al.

E-13-42. Tomika Tate v. Director et al.

E-13-58. Luke Word v. Director et al.

E-13-59. Stephanie Sowell v. Director et al.

E-13-60. Tony Ennis Jr. v. Director et al.

E-13-62. Linda Davis v. Director et al.

E-13-63. Nancy Parker v. Director et al.

E-13-64. Lula Nelson v. Director et al.

E-13-65. Kasey Brant v. Director et al.

E-13-66. David Fultz v. Director et al.

E-13-68. Marina Tejada v. Director et al.

E-13-256. Erinn McKenzie v. Director et al.