

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF SEPTEMBER 18, 2013

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-12-755](#). Ivory Lamar Cole v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Affirmed. Glover and Whiteaker, JJ., agree.

[CV-13-291](#). Kim Clements v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Glover and Whiteaker, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CR-12-1098](#). David Colby Snow v. State of Arkansas, from Drew County Circuit Court. Affirmed. Wynne and Gruber, JJ., agree.

[CV-12-923](#). Aceva Technologies, LLC, and Sungard Avantgard, LLC v. Tyson Foods, Inc., from Washington County Circuit Court. Affirmed on direct appeal; reversed and remanded on cross-appeal. Wynne and Gruber, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CR-12-1047](#). J.A.C. v. State of Arkansas, from Conway County Circuit Court. Affirmed in part; reversed and dismissed in part. Pittman and Vaught, JJ., agree.

[CV-12-947](#). Amado Mancia v. Arkansas Department of Human Services and Minor Children, from Carroll County Circuit Court, Eastern District. Affirmed; motion to withdraw granted. Pittman and Vaught, JJ., agree.

[CV-12-990](#). Diana C. Johnson v. Rebecca C. Mitchell, from Washington County Circuit Court. Affirmed. Gladwin, C.J., and Harrison, J., agree.

BRANDON J. HARRISON, JUDGE:

[CR-12-564](#). Chad Edward Malcum v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Affirmed. Gladwin, C.J., and Walmsley, J., agree.

[CR-12-900](#). Pamela Hooks v. State of Arkansas, from Pulaski County Circuit Court, First Division. Rebriefing ordered. Whiteaker and Brown, JJ., agree.

[CV-13-49](#). Lynda Hamm v. Jerry Hamm, from White County Circuit Court. Affirmed. Gladwin, C.J., and Walmsley, J., agree.

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BRANDON J. HARRISON, JUDGE: (Continued)

[CV-13-302](#). Nicole Fredrick Hannah v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Wynne and Brown, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CV-13-392](#). Jessica Aguilera v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Affirmed. Harrison and Brown, JJ., agree.

[CV-13-413](#). Nicole Nichols and Michael Nichols v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to withdraw granted. Harrison and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-12-1071](#). Ditch 56 Farms, LLC, Ronnie McCord, Clint McCord, and McCord Farms, LLC v. Stanley Foster, Judy Foster, Linda Alden, and Danny Brandon, from Craighead County Circuit Court, Eastern District. Appeal dismissed. Hixson and Wood, JJ., agree.

[CV-13-57](#). Clifford Rich v. Qualserv Corporation and The Hartford Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Hixson and Wood, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CR-12-913](#). Maurice Cosen v. State of Arkansas, from Jefferson County Circuit Court. Affirmed. Gladwin, C.J., and Wynne, J., agree.

[CV-13-256](#). Jeremiah Calahan v. Arkansas Department of Human Services and Minor Child, from Monroe County Circuit Court. Affirmed; motion granted. Wood and Brown, JJ., agree.

[CV-13-304](#). Randy Kelso v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Gladwin, C.J., and Whiteaker, J., agree.

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PHILLIP T. WHITEAKER, JUDGE:

[CR-12-1013](#). Gecoba Lequis Tilson v. State of Arkansas, from Faulkner County Circuit Court. Affirmed. Gladwin, C.J., and Glover, J., agree.

[CV-13-334](#). Brittany Sloan v. Arkansas Department of Human Services and Minor Child, from Dallas County Circuit Court. Affirmed; motion to be relieved as counsel granted. Gladwin, C.J., and Glover, J., agree.

LARRY D. VAUGHT, JUDGE:

[CR-12-524](#). Aaron Anthony Flemons v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion denied, rebriefing ordered. Pittman and Walmsley, JJ., agree.

[CR-12-1056](#). J.A.C. v. State of Arkansas, from Yell County Circuit Court, Northern District. Affirmed. Pittman and Walmsley, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CR-12-1027](#). Charles L. Stutte v. State of Arkansas, from Washington County Circuit Court. Supplemental addendum ordered. Gruber and Wood, JJ., agree.

[E-12-1010](#). Cathy Davis v. Director, Department of Workforce Services, and Fountain Lake School, from the Arkansas Board of Review. Affirmed. Gruber and Wood, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CV-12-973](#). Christopher Brian Burger v. Lance Terrell Wright, from Polk County Circuit Court. Reversed and remanded. Gruber and Hixson, JJ., agree.

[CV-13-3](#). Bank of the Ozarks, Inc., and Bank of the Ozarks v. Robert Walker, Ann B. Hines, and Judith Belk, from Lonoke County Circuit Court. Reversed and remanded. Gruber and Hixson, JJ., agree.

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WAYMOND M. BROWN:

[CV-13-27](#). St. Edward Mercy Medical Center and Sisters of Mercy Health System v. Deborah Warnock, from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin, C.J., and Walmsley, Harrison, and Glover, JJ., agree. Wood, J., dissents.

[CV-13-385](#). Monica Contreras v. Arkansas Department of Human Services, Christine Williams, and Minor Child, from Washington County Circuit Court. Affirmed. Harrison and Wynne, JJ., agree.

[CV-13-403](#). Janice Burns v. Arkansas Department of Human Services and Minor Children, from Lee County Circuit Court. Affirmed. Harrison and Wynne, 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).

- E-13-167. Emily Evans v. Director et al.
- E-13-168. Mitchell Neal v. Director et al.
- E-13-169. Claud Gaines v. Director et al.
- E-13-170. Kieshay Worthy v. Director et al.
- E-13-171. Minnie Ellis v. Director et al.
- E-13-172. Marilyn Lafleur v. Director et al.
- E-13-173. Samantha Holsing v. Director et al.
- E-13-174. Ryan Pyszka v. Director et al.
- E-13-175. Diannah Hadley v. Director et al.
- E-13-176. Patricia Lyons v. Director et al.

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- E-13-177. Daniel Penn v. Director et al.
- E-13-178. Sabina Gentile v. Director et al.
- E-13-179. Stacy Smith v. Director et al.
- E-13-180. Anthony Carter v. Director et al.
- E-13-181. Cynthia Ward v. Director et al.
- E-13-182. George Cioara v. Director et al.
- E-13-183. Amber Wright v. Director et al.
- E-13-184. Pamela Clark v. Director et al.
- E-13-185. Brett Kilgore v. Director et al.
- E-13-186. Timothy Reeves v. Director et al.
- E-13-187. Earl Singletary v. Director et al.
- E-13-188. Joshua Voyles v. Director et al.
- E-13-189. Marcus Johnson v. Director et al.
- E-13-190. Kenneth Wright v. Director et al.

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PER CURIAM ORDERS

CR-13-73. Manuel D. Ortiz v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Daniel W. Marvin for attorney's fees is granted. Allowed \$1,800.00.

CR-13-682. Calvin Jerome Stover v. State of Arkansas, from Benton County Circuit Court. Pro se motion seeking a copy of the record lodged at public expense is denied.

CR-13-712. David Keith Adams v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Motion of Dan Hancock to be relieved and for appointment of Brett Watson as counsel for appellant is granted. Gruber, J., not participating.

CV-12-1029. Roberto Marcelo Schupbach v. Arkansas Power Electronics International, Inc., from Washington County Circuit Court. Appellee's unopposed motion to prohibit broadcasting of oral argument and to close argument to the public. Appeal dismissed; motion moot. Proceedings of September 13, 2013.

CV-13-638. Rodney Porta v. Arkansas Department of Human Services and Minor Children, from Sebastian County Circuit Court, Fort Smith District. Appellant's pro se motion to withdraw attorney is denied.

CV-13-758. Linda Sterling v. Wal-Mart Associates, Inc., from Arkansas Workers' Compensation Commission. Pro se motion for rule on clerk is denied. Vaught and Brown, JJ., would grant.

E-13-365. Dudley Dixon, Jr. v. Director et al., from Arkansas Board of Review. Appellees' motion to remand is granted.

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MOTIONS SUBMITTED

CR-12-1002. Jason Robison v. State of Arkansas, from Randolph County Circuit Court. Motion of Devon N. Holder for attorney's fees.

CV-13-109. Wallace Allen v. To All Unkown Persons Claiming Legal or Equitable Rights or Interests in the Property Described in this Complaint, from Prairie County Circuit Court. Appellant's pro se motion to set aside judgment dated August 28, 2013.

CV-13-409. Allisa Virgil v. Evergreen Packaging, Inc., from Jefferson County Circuit Court. Appellant's motion for leave to file supplemental abstract with brief.

CV-13-465. Eric Leroy Massey v. Kristi Michelle Massey, from Faulkner County Circuit Court. Appellant's motion for reconsideration of denial of motion for stay.

E-13-751. Wilma Young v. Director et al., from the Arkansas Board of Review. Motion for reconsideration of motion to file belated appeal.

E-13-859. Jennifer Simmons v. Director et al., from the Arkansas Board of Review. Appellees' motion to remand.

E-13-887. Denna Bono v. Director et al., from the Arkansas Board of Review. Motion to file belated appeal.

E-13-902. George Vestal v. Director et al., from the Arkansas Board of Review. Motion to file belated appeal.

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CASES SUBMITTED

CR-12-1115. Walter Allen Brooks v. State of Arkansas, from St. Francis County Circuit Court.

CR-13-129. Juan Carlos Martinez v. State of Arkansas, from Benton County Circuit Court.

CR-13-139. Anthony Lee Chatfield v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-13-144. Jon Aaron Shatwell v. State of Arkansas, from Boone County Circuit Court.

CR-13-215. Leland Fleming v. State of Arkansas, from Crawford County Circuit Court.

CR-13-285. Robert Damin Cassinelli v. State of Arkansas, from Garland County Circuit Court.

CR-13-295. Hector Morales v. State of Arkansas, from Craighead County Circuit Court, Western District.

CR-13-97. Trevailes Dotson v. State of Arkansas, from Howard County Circuit Court.

CV-12-1064. Eric Anderson and Tama Anderson v. Citimortgage, Inc., and Wilson & Associates, PLLC, from Pulaski County Circuit Court, Third Division.

CV-12-898. Connie Watkins and Richard Watkins v. City of Paragould and Paragould Light & Water Commission, from Greene County Circuit Court.

CV-12-951. Dannie Gilder et al. v. Cedar Ridge Farms, Ltd., from Saline County Circuit Court.

CV-13-238. Janice C. Tucker v. Bank of America et al., from Arkansas Workers' Compensation Commission.

CV-13-240. Penny Strother v. Lacroix Optical, Massachusetts Bay Insurance Company, and Death & Permanent Total Disability Trust Fund, from Arkansas Workers' Compensation Commission.

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CV-13-273. Firestone Building Products and Old Republic Insurance Company v. Pamela V. Hopson, from Arkansas Workers' Compensation Commission.

CV-13-274. Brenda L. (Jones) Pruitt v. Community Development Institute Head Start, Zurich American Insurance Co., and Death & Permanent Total Disability Trust Fund, from Arkansas Workers' Compensation Commission.

CV-13-322. Florence Lawrence v. St. Edward Mercy Medical Center and Sisters of Mercy Health System, from Arkansas Workers' Compensation Commission.

CV-13-354. Tassie Anthony v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District.

CV-13-56. Emily Dodd v. Caleb Gore, from Benton County Circuit Court.

CV-13-67. Safeco Insurance Company of Illinois and Barney Travis v. Southern Farm Bureau Casualty Insurance Company, from Craighead County Circuit Court, Western District.

CV-13-8. Piping Industrial Company, Inc. v. Future Fuel Chemical Company, from Independence County Circuit Court.

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

E-13-215. Shannon Washington v. Director et al.

E-13-216. Princella Block v. Director et al.

E-13-217. Jamesia Stephney v. Director et al.

E-13-218. Brenda Logsdon v. Director et al.

E-13-219. Kwame Asante v. Director et al.

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CASES SUBMITTED

E-13-220. Larry Payne v. Director et al.

E-13-221. Bobby Posey v. Director et al.

E-13-222. Stacie Posik v. Director et al.

E-13-223. Marsha Collins v. Director et al.

E-13-224. Frederick Williams v. Director et al.

E-13-225. Helen Miller v. Director et al.

E-13-226. John Jones v. Director et al.

E-13-227. Deborah Jackson v. Director et al.

E-13-228. Martha Cole v. Director et al.

E-13-229. Reginald Bonds v. Director et al.

E-13-230. Megan Keeler v. Director et al.

E-13-231. Pedro Guevara v. Director et al.

E-13-232. Cecil Massengill v. Director et al.

E-13-234. Jeff Dedmon v. Director et al.

E-13-235. Teresa Pontzius v. Director et al.

E-13-236. Beverly Liles v. Director et al.

E-13-237. Jerald Reichenbach v. Director et al.

E-13-238. Kevin Bloesch v. Director et al.

E-13-239. Carol Market v. Director et al.