

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF SEPTEMBER 25, 2013**

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-13-205](#). Clay Breeden v. State of Arkansas, from Polk County Circuit Court. Affirmed. Glover and Whiteaker, JJ., agree.

[CV-12-688](#). Thomas B. Queen v. Nortel Networks; Travelers Property & Casualty Co., from the Arkansas Workers' Compensation Commission. Affirmed. Glover and Whiteaker, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CR-13-192](#). Fabian Antonio Baca v. State of Arkansas, from Benton County Circuit Court. Affirmed. Walmsley and Vaught, JJ., agree.

[CV-12-992](#). Kayla McPherson v. Arkansas Department of Human Services, from Lonoke County Circuit Court. Affirmed. Walmsley and Vaught, JJ., agree.

BILL H. WALMSLEY, JUDGE:

[CV-13-254](#). James Webb v. Hot Springs Packing Company, Inc., and Bridgefield Casualty Insurance Co., from the Arkansas Workers' Compensation Commission. Affirmed. Pittman and Vaught, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CV-13-184](#). Kristie Michele Cervantes v. Jeremy G. Cervantes, from Lonoke County Circuit Court. Affirmed. Harrison and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-12-779](#). D.S., Minor v. State of Arkansas, from Benton County Circuit Court. Affirmed; motion to withdraw granted. Hixson and Wood, JJ., agree.

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DAVID M. GLOVER, JUDGE:

[CR-13-68](#). Tonya Christine Mott v. State of Arkansas, from Crawford County Circuit Court. Reversed and dismissed. Gladwin, C.J., and Whiteaker, J., agree.

[CV-12-921](#). Stephens Production Company v. Boyd Blackard, Terry Blackard, and Barbara Blackard, from Johnson County Circuit Court. Affirmed. Wood and Brown, JJ., agree.

[E-13-23](#). Daniel Williams v. Director, Department of Workforce Services, and Walmart, from the Arkansas Board of Review. Affirmed. Gladwin, C.J., and Whiteaker, J., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CV-13-427](#). Neileen Saimon v. Arkansas Department of Human Services and Minor Children, from Washington County Circuit Court. Affirmed. Gladwin, C.J., and Glover, J., agree.

[E-12-951](#). Crystalee D. Nelson v. Director, Department of Workforce Services, and PRN Medical Services, from the Arkansas Board of Review. Affirmed as modified. Gladwin, C.J., and Glover, J., agree.

LARRY D. VAUGHT, JUDGE:

[CV-13-404](#). Rose Williams v. Arkansas Department of Human Services and Minor Children, from Garland County Circuit Court. Affirmed; motion granted. Pittman and Walmsley, JJ., agree.

[CV-12-645](#). Greg Spears, M.D. v. Wendy Spears, from Craighead County Circuit Court, Western District. Affirmed as modified. Pittman and Walmsley, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-12-897](#). Carmella Kirkwood v. Betty Dial, from Phillips County Circuit Court. Affirmed. Gruber and Wood, JJ., agree.

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#### RHONDA K. WOOD, JUDGE:

[CV-12-660](#). Allen Hall v. Nancy Hall and Nancy Hall Enterprises, Inc. fka and/or dba J.W. Hall Auto Sales, from Mississippi County Circuit Court, Osceola District. Affirmed. Gruber and Hixson, JJ., agree.

#### WAYMOND M. BROWN, JUDGE:

[CV-12-1102](#). Regina Foley v. Sean Foley, from the Pulaski County Circuit Court, Fourteenth Division. Supplemental record and rebriefing ordered. 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-13-191. Michael Niederhauser v. Director et al.
- E-13-192. Lamika Killingsworth v. Director et al.
- E-13-193. Amber Maddox v. Director et al.
- E-13-194. Antoine Gage v. Director et al.
- E-13-195. Alfred Allen v. Director et al.
- E-13-196. Reneisha Phillips v. Director et al.
- E-13-197. Christopher Dotson v. Director et al.
- E-13-198. Patricia Tibbs v. Director et al.
- E-13-199. Shelley Avants v. Director et al.
- E-13-200. Charles Martin v. Director et al.
- E-13-201. Shawn Graham v. Director et al.
- E-13-202. James Peden v. Director et al.

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E-13-203. Khadijah Safeeullah v. Director et al.

E-13-204. Clark Dunn v. Director et al.

E-13-205. Bobby Walker v. Director et al.

E-13-206. David Sutton v. Director et al.

E-13-207. Darrick Newton v. Director et al.

E-13-208. Herbie Gardner v. Director et al.

E-13-209. Brenda Veloz v. Director et al.

E-13-210. Steve Lowery, Jr. v. Director et al.

E-13-211. Theodis Brown v. Director et al.

E-13-212. Derick Rhodes v. Director et al.

E-13-213. Dominic Moore v. Director et al.

E-13-214. Ernest Davis v. Director et al.

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**PER CURIAM ORDERS**

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

CV-13-248. Joshua Chase v. Arkansas Department of Human Services and H.C. and K.C., Minors, from Jefferson County Circuit Court. Motion to stay implementation of mandate is denied. Mandate issued this date.

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CR-12-1002. Jason Robison v. State of Arkansas, from Randolph County Circuit Court. Motion of Devon N. Holder for attorney's fees is granted. Allowed \$1,800.00.

CR-13-62. Jose Rodriguez v. State of Arkansas, from Crittenden County Circuit Court. Motion of Brian Williams for attorney's fees is granted. Allowed \$1,800.00.

CR13-69. Kenneth Dale Jones v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,400.00.

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, is denied.

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 is denied.

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 is denied. Vaught, J., not participating.

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

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

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**PER CURIAM ORDERS**

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

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

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**MOTIONS SUBMITTED**

CR-12-670. James Collier III v. State of Arkansas, from Jefferson County Circuit Court. Motion of Cecilia Ashcraft for attorney's fees.

CR-12-1047. J.A.C. v. State of Arkansas, from Conway County Circuit Court. Motion of Daniel W. Marvin for attorney's fees.

CV-13-365. Sarah Wilson v. Randy Wilson and Donna Wilson, from Ouachita County Circuit Court. Appellant's motion to strike appellees' statement of the case.

CV-13-420. Lynne Fogerson v. Ben Navarro; Arkansas Department of Human Services; and P.F., from Washington County Circuit Court. Motion of Arkansas Department of Human Services to file a belated brief.

CV-13-518. Ollye Mae Robinson v. Kimberly Jones Miller and Thomas Jones, from Jefferson County Circuit Court. Appellee's motion to supplement the record.

CV-13-625. William A. Goodrum III v. Amanda J. Goodrum, from Garland County Circuit Court. Motion of Michael H. Crawford to withdraw as counsel for appellee.

CV-13-779. Travelers Casualty & Surety Company of America and BCC Construction, LLC d/b/a Boyd Corley Construction, LLC v. Sweet's Contracting, Inc., from Independence County Circuit Court. Appellee's motion to dismiss appeal.

E-13-783. Whitney Johnson v. Director et al., from the Arkansas Board of Review. Pro se motion for permission to file additional evidence.

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### CASES SUBMITTED

CR-12-1133. Carlton J. Hobbs v. State of Arkansas, from Arkansas County Circuit Court, Southern District.

CR-13-64. Joseph Ashley Max v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-154. Antonio Demond Cooley v. State of Arkansas, from Pulaski County Circuit Court, Second Division.

CR-13-201. Derek Anthony Walton v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CV-12-685. Lawrence Trammell v. Willis Hooks, from Greene County Circuit Court.

CV-12-988. Ford Motor Company v. Charles Keatts, from Pulaski County Circuit Court, Sixth Division.

CV-12-991. Dr. Mahmood Ahmad v. Dr. Meraj Siddiqui and Horizon Pain, Inc., from Independence County Circuit Court.

CV-12-1028. Kenneth R. Brown and Karen Brown v. Federal Home Loan Mortgage Corp. and Freddie Mac, from Pulaski County Circuit Court, Third Division.

CV-13-4. Donnie Farmer v. Scott Moon, from Pulaski County Circuit Court, Fifth Division.

CV-13-75. Timothy Roger Simpson and Estate of Edith Laverne Simpson, Deceased v. Bobby Simpson, Phyllis Cox, Bennie Simpson, Dennis Simpson, Steve Simpson, and Tammy Earnhart, from Craighead County Circuit Court, Western District.

CV-13-90. Carmen Albarran v. Liberty Health Care Management, from Benton County Circuit Court.

CV-13-136. Tamara McBride v. Arkansas Department of Human Services and Minor Child, from Jefferson County Circuit Court.



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### CASES SUBMITTED

CV-13-224. Catherine Chester v. Kevin Pilcher, from Hot Spring County Circuit Court.

CV-13-323. Melissa Pratt v. Rheem Old Republic Insurance, from Arkansas Workers' Compensation Commission.

CV-13-329. Linda Dart v. St. Edward Mercy Foundation, Mercy Health Center, and Death & Permanent Total Disability Trust Fund, from Arkansas Workers' Compensation Commission.

CV-13-380. Pulaski County Special School District and ASBA WCT v. Margaret Tenner, from Arkansas Workers' Compensation Commission.

CV-13-395. Tricia L. Armstrong v. Wal-Mart Associates, Inc., and Claims Management, Inc., from Arkansas Workers' Compensation Commission.

CV-13-401. Jonathan Jordan v. Home Depot, Inc., and American Home Assurance Company, from Arkansas Workers' Compensation Commission.

CV-13-520. Morrell Williams v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court, Eighth Division.

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

E-13-40. Eugene Worden v. Director et al.

E-13-108. Elizabeth Barnard v. Director et al.

E-13-240. Lloyd Naquin v. Director et al.

E-13-241. Kathleen Phillips v. Director et al.

E-13-242. Whitnee Lambert v. Director et al.

E-13-243. Connie Buckley v. Director et al.

E-13-244. Rodney Mays v. Director et al.

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**CASES SUBMITTED**

- E-13-245. Gary Stewart v. Director et al.
- E-13-246. Deanne Ginest v. Director et al.
- E-13-247. Michael Peal, Jr. v. Director et al.
- E-13-248. Gennie Hampton v. Director et al.
- E-13-249. Freda McCullah v. Director et al.
- E-13-250. John Tidwell v. Director et al.
- E-13-251. Douglas Bielz v. Director et al.
- E-13-252. Mark Bramucci v. Director et al.
- E-13-253. Denzil Griffin v. Director et al.
- E-13-254. Larry Vaughn v. Director et al.
- E-13-255. Kawana Jones v. Director et al.
- E-13-257. James Harrison v. Director et al.
- E-13-258. Babette Watlington v. Director et al.
- E-13-259. Emma Jeffery v. Director et al.
- E-13-260. Elroy Funches v. Director et al.
- E-13-261. Valerie Rodocker v. Director et al.
- E-13-262. Terri Gibson v. Director et al.
- E-13-263. Gregory Hall v. Director et al.
- E-13-264. Lori Nelson v. Director et al.