

## ARKANSAS COURT OF APPEALS

### PROCEEDINGS OF OCTOBER 9, 2013

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

[CR-13-201](#). Derek Anthony Walton v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Glover and Whiteaker, JJ., agree.

[CV-12-991](#). Dr. Mahmood Ahmad v. Dr. Meraj Siddiqui and Horizon Pain, Inc., from Independence County Circuit Court. Dismissed. Glover and Whiteaker, JJ., agree.

#### JOHN MAUZY PITTMAN, JUDGE:

[CR-12-1115](#). Walter Allen Brooks v. State of Arkansas, from St. Francis County Circuit Court. Rebriefing ordered. Walmsley and Vaught, JJ., agree.

[CV-13-4](#). Donnie Farmer, Chair of the Jacksonville Civil Service Commission v. Scott Moon, from Pulaski County Circuit Court, Fifth Division. Appeal dismissed; circuit court opinion and order vacated. Walmsley and Vaught, JJ., agree.

#### BILL H. WALMSLEY, JUDGE:

[CR-13-139](#). Anthony Lee Chatfield v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Pittman and Vaught, JJ., agree.

[CV-13-136](#). Tamara McBride v. Arkansas Department of Human Services and Minor Child, from Jefferson County Circuit Court. Affirmed. Pittman and Vaught, JJ., agree.

#### BRANDON J. HARRISON, JUDGE:

[CR-12-1133](#). Carlton Hobbs v. State of Arkansas, from Arkansas County Circuit Court, Southern District. Affirmed; motion to withdraw granted. Wynne and Brown, JJ., agree.

[CR-13-144](#). Jon Aaron Shatwell v. State of Arkansas, from Boone County Circuit Court. Affirmed. Wynne and Brown, JJ., agree.

[CV-13-380](#). Pulaski County Special School District v. Margaret Tenner, from the Arkansas Workers' Compensation Commission. Affirmed. Wynne and Brown, JJ., agree.

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ROBIN F. WYNNE, JUDGE:

[CR-13-64](#). Joseph Ashley Max v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Harrison and Brown, JJ., agree.

[CV-13-224](#). Catherine Chester v. Kevin Pilcher, from Hot Spring County Circuit Court. Affirmed. Harrison and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CV-13-401](#). Jonathan Jordan v. Home Depot, Inc., and American Home Assurance Company, from the Arkansas Workers' Compensation Commission. Affirmed. Hixson and Wood, JJ., agree.

[E-13-108](#). Elizabeth Barnard v. Director, Arkansas Department of Workforce Services, and Greenwood School District, from the Arkansas Board of Review. Affirmed. Hixson and Wood, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CV-12-1028](#). Kenneth R. Brown and Karen Brown v. Federal Home Loan Mortgage Corporation a/k/a Freddie Mac, from Pulaski County Circuit Court, Third Division. Affirmed. Gladwin, C.J., and Whiteaker, J., agree.

LARRY D. VAUGHT, JUDGE:

[CV-12-988](#). Ford Motor Company v. Charles Keatts, from Pulaski County Circuit Court, Sixth Division. Affirmed. Pittman and Walmsley, JJ., agree.

KENNETH S. HIXSON, JUDGE:

[CV-12-685](#). Lawrence Trammell v. Willis Hooks, from Greene County Circuit Court. Affirmed. Gruber and Wood, JJ., agree.

[CV-13-323](#). Melissa Pratt v. Rheem Manufacturing, from the Arkansas Workers' Compensation Commission. Affirmed. Gruber and Wood, JJ., agree.

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#### RHONDA K. WOOD, JUDGE:

[CV-13-329](#). Linda Dart v. Second Injury Fund, St. Edward Mercy Foundation, Mercy Health Center, and Death & Permanent Total Disability Trust Fund. Affirmed. Gruber and Hixson, JJ., agree.

[E-13-40](#). Eugene Worden v. Director, Department of Workforce Services, from the Arkansas Board of Review. Affirmed. Gruber and Hixson, JJ., agree.

#### WAYMOND M. BROWN, JUDGE:

[CR-13-154](#). Antonio Demond Cooley v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Affirmed. Harrison and Wynne, JJ., agree.

[CV-13-75](#). Timothy Roger Simpson, as Personal Representative of the Estate of Edith Laverne Simpson, Deceased v. Bobby Simpson, et al., from Craighead County Circuit Court, Western District. 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-13-240. 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.
- 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.

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- 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.

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**PER CURIAM ORDERS**

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

CV-12-943. Steven Lynn Williams v. Office of Child Support Enforcement, from Garland County Circuit Court.

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CR-12-1013. Gecoba Tilson v. State of Arkansas, from Faulkner County Circuit Court. Motion of Lee D. Short for attorney's fees is granted. Allowed \$1,800.00.

CR-12-1056. J.A.C. v. State of Arkansas, from Yell County Circuit Court. Motion of Greg Crumpton for attorney's fees is granted. Allowed \$1,800.00.

CR-12-463. Shane Wade Donovan v. State of Arkansas, from Independence County Circuit Court. Motion of Kent Walker for attorney's fees is granted. Allowed \$1,800.00.

CR-13-121. Michael H. Coupey v. State of Arkansas, from Sebastian County Circuit Court. Motion of Jennifer Flinn for attorney's fees is granted. Allowed \$1,800.00.

CR-13-192. Fabian Baca v. State of Arkansas, from Benton County Circuit Court. Motion of Robby Golden for attorney's fees is granted. Allowed \$1,800.00.

CR-13-650. John Anthony Houston v. State of Arkansas, from Cleburne County Circuit Court. Pro se motion for appointment of counsel is denied.

CV-12-1084. Harold "Bud" Ward v. Linda Ward Tutton, from Pulaski County Circuit Court. Bankruptcy status report. Noted. Status report due December 8, 2013.

CV-13-196. Jerry Campbell et al. v. Mary Graf, from Van Buren County Circuit Court. Appellants' motion to file belated brief is granted. Brief filed this date.

CV-13-457. Kent Smith, DVM v. Kimberly V. Freeman and Armistead Freeman, II, from Perry County Circuit Court. Appellant's pro se motion to supplement the record is granted. Writ issued; returnable November 8, 2013. Appellant's brief due within thirty days of the filing of the supplemental record.

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CV-13-578. U.S. Currency in the amount of \$70,000.00 and Anthony Eugene Corley v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion to file belated brief is granted. Brief filed this date.

CV-13-667. Consumer Utilities Rate Advocacy Division of the Arkansas Attorney General's Office v. Entergy and Arkansas Electric Energy Consumers, from Arkansas Public Service Commission. Motion to consolidate appeals CV-13-667 and CV-13-803 is denied.

E-13-789. Billy Gene Newby v. Director et al., from the Arkansas Board of Review. Appellant's pro se motion to add evidence is denied.

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**MOTIONS SUBMITTED**

**PETITIONS FOR REHEARING:**

CV-13-19. Mary Berryhill v. Frances Synatzske and Bryan Huffman, as Special Administrator of the Estate of Frances Synatzske, from Hot Spring County Circuit Court.

CV-13-124. Donald Sears v. Joan Zumwalt, from Pulaski County Circuit Court, Ninth Division.

CV-13-218. Julia Hartsfield, Emily Hartsfield, and Gayle Fisher v. Deanna Blann, Sarah Blann, Thomas Edwin Blann, and Simmons First Trust Company, N.A., from Union County Circuit Court.

CV-13-283. Kevin Brewer v. Arkansas Sex Offender Assessment Committee, from Pulaski County Circuit Court, Thirteenth Division.

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CR-11-647. James Walker v. State of Arkansas, from Columbia County Circuit Court. Pro se motion for a copy of the transcript at public expense.

CR-11-788. Glenn Eric Nelson, Jr. v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Andrew Taylor for attorney's fees.

CR-12-950. Thomas Rainey v. State of Arkansas, from Dallas County Circuit Court. Appellant's motion to supplement and settle the record and for time to file brief.

CR-13-68. Tonya Christine Mott v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees.

CR-13-316. Antwon Lavon Fowler v. State of Arkansas, from Faulkner County Circuit Court. Appellant's motion to reverse and dismiss for failure to timely complete transcript to be included in the record lodged on appeal.

CR-13-425. Demarcus Rayfield v. State of Arkansas, from Miller County Circuit Court. Appellant's motion for enlargement of time to complete the record.

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**MOTIONS SUBMITTED**

CR-13-622. Mauricio Antonio Lopez-Deleon v. State of Arkansas, from Benton County Circuit Court. Appellant's motion to file belated brief.

CR-13-783. Xavier Thomas v. State of Arkansas, from Jefferson County Circuit Court. Motion of Efrem B. Neely, Sr. to withdraw and for the appointment of Nick Churchill as counsel for appellant.

CV-12-450. George and Montie Hobson v. Entergy Arkansas, Inc., from Pulaski County Circuit Court, Sixth Division. Appellee's motion for leave to file second supplemental abstract.

CV-13-581. Ronnie Willcutt, Larry F. Willcutt, Marsha Kay Willcutt, and Nadine Willcutt v. Ricky D. Houston and Sherry L. Houston, from Conway County Circuit Court. Appellant's motion to substitute correct table of contents.

E-13-937. Reginald Robinson v. Director et al., from the Arkansas Board of Review. Motion to file belated appeal.

E-13-938. Cemantha Wolljung v. Director et al., from the Arkansas Board of Review. Motion to file belated appeal.

E-13-939. James Bradford v. Director et al., from the Arkansas Board of Review. Motion to file belated appeal.

E-13-954. Josephine Baltimore v. Director et al., from the Arkansas Board of Review. Motion to file belated appeal.



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**CASES SUBMITTED**

CR-13-105. Otis Gipson v. State of Arkansas, from Pulaski County Circuit Court.

CR-13-203. Jimmy Louis Medlock v. State of Arkansas, from Garland County Circuit Court.

CR-13-206. Stephen Brian Cole v. State of Arkansas, from Garland County Circuit Court.

CR-13-235. Samuel D. Snowden v. State of Arkansas, from Pike County Circuit Court.

CR-13-307. Daemon Davis v. State of Arkansas, from Mississippi County Circuit Court.

CR-13-308. Ned Wayne Cauffiel v. State of Arkansas, from Saline County Circuit Court.

CR-13-318. Leroy Haskins v. State of Arkansas, from Sebastian County Circuit Court.

CR-13-484. Clarence David Southern v. State of Arkansas, from Mississippi County Circuit Court.

CR-13-485. Gregory Simpson Jones v. State of Arkansas, from Stone County Circuit Court.

CR-13-533. Rodolfo Soto v. State of Arkansas, from Crittenden County Circuit Court.

CV-12-689. Ed Blalock v. Claudette Blalock, from Washington County Circuit Court.

CV-12-974. William David Brice v. Tatyana A. Brice, from Pulaski County Circuit Court, Fourteenth Division.

CV-12-1015. Joan Elizabeth Bradford v. Darrell Wayne Bradford, from Van Buren County Circuit Court.

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CV-12-1040. Gregg Anderson v. Brandy Thomas, from Saline County Circuit Court.

CV-12-1109. Joseph Sublett v. Jeremy Jay Mallett, from Faulkner County Circuit Court.

CV-13-104. Hurt-Hoover Investments, LLC v. Lester Fulmer, Rob Bentley, Robert Best, and Carl Chilson, from Cleburne County Circuit Court.

CV-13-181. Keiko Wagster v. Jeffrey D. Wagster, from Independence County Circuit Court.

CV-13-187. Graham Goodloe v. Marcia Goodloe, from Pulaski County Circuit Court.

CV-13-208. Minnie Coulter v. Hon. Joe Griffin et al., from Miller County Circuit Court.

CV-13-231. Arkansas State Board of Chiropractic Examiners v. Keith Currie, D.C., and Natalie Currie, D.C., from Faulkner County Circuit Court.

CV-13-487. St. John's Regional Health Center and Sisters of Mercy Health v. Gregory Dale Bartlett, from Arkansas Workers' Compensation Commission.

CV-13-500. Cliff Ernest Contant v. Retention Management Services, Marlin Transit, Inc., and Death & Permanent Total Disability Trust Fund, from Arkansas Workers' Compensation Commission.

CV-13-545. Emily Dawn Smithee and Terrence Smithee v. Arkansas Department of Human Services and Minor Child, from Clay County Circuit Court.

CV-13-604. Krista Gaskill v. Arkansas Department of Human Services and Minor Children, from Pulaski County Circuit Court.

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- E-13-292. Nick Villalobos v. Director et al.
- E-13-293. Reginald Lewis v. Director et al.
- E-13-294. Demita Hogan v. Director et al.
- E-13-295. Lisa Hendricks v. Director et al.
- E-13-296. Jeffery Henson v. Director et al.
- E-13-297. Deborah Blanton v. Director et al.
- E-13-298. Laquita Goodwin v. Director et al.
- E-13-299. Michael Brooks v. Director et al.
- E-13-300. David Hall v. Director et al.
- E-13-301. George Marbley v. Director et al.
- E-13-302. Matthew Short III v. Director et al.
- E-13-303. Melvin Heath v. Director et al.
- E-13-304. Jesse Newborn v. Director et al.
- E-13-305. Patricia Davis v. Director et al.
- E-13-306. Treenity Hankins v. Director et al.
- E-13-307. Wanda Harris v. Director et al.
- E-13-308. Mark Yarbrough v. Director et al.
- E-13-309. Pamela Thomas v. Director et al.
- E-13-310. Shawn Seawel v. Director et al.

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E-13-311. Dickey Harl v. Director et al.

E-13-312. Sarah Adams v. Director et al.

E-13-313. Mary Bowie v. Director et al.

E-13-314. Scott Lafavers v. Director et al.

Opinions are available on the internet at

<http://courts.arkansas.gov>