

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 15, 2014

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-13-502](#). Johnny Williams v. State of Arkansas, from Drew County Circuit Court. Affirmed; motion to withdraw granted. Pittman and Whiteaker, JJ., agree.

[CR-13-557](#). Ismeal Leal v. State of Arkansas, from Crittenden County Circuit Court. Rebriefing ordered; motion to withdraw denied. Pittman and Whiteaker, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CR-12-1080](#). Alan Lee Hooten v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion to withdraw denied without prejudice; rebriefing ordered. Gladwin, C.J., and Whiteaker, J., agree.

[CR-13-117](#). Seimond Evans v. State of Arkansas, from Union County Circuit Court. Motion to withdraw denied without prejudice; remanded to settle and supplement the record; rebriefing ordered. Gladwin, C.J., and Whiteaker, J., agree.

[CV-13-470](#). David R. Tilley v. Debbie Sparrow, from Pope County Circuit Court. Affirmed. Gladwin, C.J., and Walmsley, Wynne, and Gruber, JJ., agree. Harrison, J., dissents.

BILL H. WALMSLEY, JUDGE:

[CR-13-94](#). Jeremy Leon Stockton v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Rebriefing ordered; motion to withdraw denied. Glover and Vaught, JJ., agree.

[CR-13-159](#). Jason Dove v. State of Arkansas, from Crittenden County Circuit Court. Rebriefing ordered; motion to withdraw denied. Glover and Vaught, JJ., agree.

[CR-13-164](#). Christopher Clark v. State of Arkansas, from Jefferson County Circuit Court. Remanded to supplement record; rebriefing ordered; motion to withdraw denied. Glover and Vaught, JJ., agree.

[CV-13-780](#). Angela Watson v. Arkansas Department of Human Services and Minor Children, from Craighead County Circuit Court, Western District. Affirmed; motion to withdraw granted. Glover and Vaught, JJ., agree.

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BRANDON J. HARRISON, JUDGE:

[CR-13-180](#). Christopher C. Cory v. State of Arkansas, from Crittenden County Circuit Court. Rebriefing ordered; motion to withdraw denied. Gruber and Wood, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CR-13-222](#). Marcus A. Rimmer v. State of Arkansas, from Crittenden County Circuit Court. Rebriefing ordered; motion to withdraw denied. Hixson and Brown, JJ., agree.

[CR-13-233](#). Brian Robert Hill v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Affirmed; motion to withdraw granted. Hixson and Brown, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-13-284](#). Susan Lynn Houghton v. State of Arkansas, from Johnson County Circuit Court. Affirmed; motion granted. Harrison and Wood, JJ., agree.

[CR-13-338](#). Patrick S. Bednarz, Jr. v. State of Arkansas, from Lonoke County Circuit Court. Affirmed; motion granted. Harrison and Wood, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CR-11-617](#). Daniel Weaver v. State of Arkansas, from Crawford County Circuit Court. Rebriefing ordered; motion to withdraw denied. Walmsley and Vaught, JJ., agree.

[CR-13-432](#). Robert Coleman v. State of Arkansas, from Crittenden County Circuit Court. Revocation affirmed; motion to withdraw granted. Walmsley and Vaught, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-13-473](#). Leland M. Fleming v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Rebriefing ordered; motion to withdraw denied. Gladwin, C.J., and Pittman, J., agree.

[CR-13-491](#). Nicholas Burris v. State of Arkansas, from Union County Circuit Court. Remanded to settle and supplement the record. Gladwin, C.J., and Pittman, J., agree.

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PHILLIP T. WHITEAKER, JUDGE: (Continued)

[CV-13-522](#). C. Bean Transport, Inc., Creditors Trust v. Claude B. Kennedy, Jr., Mickey Joe Durden, The Phoenix Insurance Company, and Cherokee Insurance Company, from Sebastian County Circuit Court, Fort Smith District. Affirmed. Gladwin, C.J., and Hixson and Wood, JJ., agree. Vaught and Brown, JJ., dissent.

KENNETH S. HIXSON, JUDGE:

[CR-13-434](#). Larry Gladney Alexander v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion granted. Wynne and Brown, JJ., agree.

[CR-13-436](#). Andrew Lee Bishop v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion granted. Wynne and Brown, JJ., agree.

RHONDA K. WOOD, JUDGE:

[CR-13-443](#). Joe Jones v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Harrison and Gruber, JJ., agree.

[CR-13-446](#). Leonard Lee McDonald v. State of Arkansas, from Crittenden County Circuit Court. Affirmed; motion to withdraw granted. Harrison and Gruber, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-13-605](#). Tyrone Davis v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed; motion to withdraw granted. Wynne and Hixson, JJ., agree.

[CR-13-649](#). Brandy Michelle Goodman v. State of Arkansas, from Lonoke County Circuit Court. Motion denied; rebriefing ordered. Wynne and Hixson, JJ., agree.

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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-13-544. Webster Lucas v. Director et al.
- E-13-545. Cody D. Heidelberg v. Director et al.
- E-13-546. Dennis Sights v. Director et al.
- E-13-547. Alzia Phillips v. Director et al.
- E-13-549. Daryl Banks v. Director et al.
- E-13-550. Stephanie Ball v. Director et al.
- E-13-551. Ty Norris v. Director et al.
- E-13-552. Kenneth Potter v. Director et al.
- E-13-553. Steven S. Grimes v. Director et al.
- E-13-554. Christopher Saul v. Director et al.
- E-13-555. Erma Conway v. Director et al.
- E-13-556. Jason Frymire v. Director et al.
- E-13-557. Ramantiney Johnson v. Director et al.
- E-13-558. Stephen Tompkins v. Director et al.
- E-13-559. Ervin Philmon v. Director et al.
- E-13-560. Ashley Bostian v. Director et al.
- E-13-561. Richard W. Rowland v. Director et al.

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- E-13-562. Archie Thomas v. Director et al.
- E-13-563. Bruce E.Saint v. Director et al.
- E-13-564. Travis J. Roth v. Director et al.
- E-13-565. Sammy Wyatt v. Director et al.
- E-13-566. Dusty Brt v. Director et al.
- E-13-567. Catherine A.Trujillo v. Director et al.
- E-13-568. Klyantel Summons v. Director et al.

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF JANUARY 15, 2014

PER CURIAM ORDERS

PETITIONS FOR REHEARING: Petitions for rehearing were denied today in the following cases.

CV-12-536. Debra Davis v. Schneider National, Inc.; Schneider National Carriers, Inc.; and Paul Turner, from Jefferson County Circuit Court.

CV-12-712. The Evangelical Lutheran Good Samaritan Society et al. v. Robert Kolesar, as attorney in fact for Vera Kolesar, from Saline County Circuit Court.

CV-13-310. Rose Butler v. Lake Hamilton School District, Risk Management Resources, Arkansas School Boards Association, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-13-609. Robert Bird Colquitt v. Linda Colquitt, from Columbia County Circuit Court.

CV-13-656. Angela Sue Wear v. Arkansas Department of Human Services and Minor Children, from Benton County Circuit Court.

CR-12-963. Edward Emerson v. State of Arkansas, from Faulkner County Circuit Court. Motion of Lorie L. Mason for attorney's fees is granted. Allowed \$1,200.00.

CR-13-118. Vilaychanh Phengthavy v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith and Greenwood Districts. Motion of Clinton W. Lancaster for attorney's fees is granted. Allowed \$1,277.69.

CR-13-943. James Prackett v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on the clerk for court to accept, file, and grant appellant's motion for extension of time to file brief. Motion treated as motion to file belated brief and granted. Appellant's tendered brief filed this date.

CR-13-945. Timothy Smith v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on the clerk for the court to accept, file, and grant appellant's motion for extension of time to file brief. Motion treated as motion to file belated brief and granted. Appellant's brief due February 14, 2014.

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PER CURIAM ORDERS

CR-13-946. James Boeta v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on the clerk for the court to accept, file, and grant appellant's motion for extension of time to file brief. Motion treated as motion to file belated brief and granted. Appellant's tendered brief filed this date.

CR-13-947. Ricky Vail v. State of Arkansas, from Crittenden County Circuit Court. Appellant's motion for rule on the clerk for the court to accept, file, and grant appellant's motion for extension of time to file brief. Motion treated as motion to file belated brief and granted. Appellant's tendered brief filed this date.

CV-13-550. Linda J. Earls v. Harvest Credit Management VI-B, LLC, from Greene County Circuit Court. Appellant's motion to file belated brief is granted. Tendered brief filed this date.

CV-13-550. Linda J. Earls v. Harvest Credit Management VI-B, LLC, from Greene County Circuit Court. Appellee's motion to dismiss appeal is denied.

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

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-12-1016. John Gerard d/b/a Quality Construction v. Jason Novak and Brittney Novak, from Lonoke County Circuit Court.

CV-13-346. Vernon Hardesty and Martha Hardesty v. Baptist Health d/b/a Health Medical Center, Dr. Raymond Rimmel, and Patrick O'Connell, R.N., from Pulaski County Circuit Court, Seventeenth Division.

CR-12-20. Terry Douglas Reed v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Lesley Freeman Burleson for attorney's fees.

CR-12-20. Terry Douglas Reed v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Lesley Freeman Burleson to withdraw as counsel for appellant.

CR-12-404. Michael Dewayne Copeland v. State of Arkansas, from Ouachita County Circuit Court. Motion of Steven R. Davis for attorney's fees.

CR-13-774. Reggie Terrell Blair v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Resubmission of motion to substitute Gene E. McKissic as counsel for appellant and for extension of time to file brief.

CV-13-346. Vernon Hardesty and Martha Hardesty v. Baptist Health d/b/a Health Medical Center, Dr. Raymond Rimmel, and Patrick O'Connell, R.N., from Pulaski County Circuit Court, Seventeenth Division. Request of Arkansas Trial Lawyers Association to join appellants' petition for rehearing.

CV-13-372. Guy Czajka v. Butterball Turkey, LLC, and Ace American Insurance, from Arkansas Workers' Compensation Commission. Appellant's pro se motion for reconsideration of appellant's prior motion for court's acceptance of the appellant's brief "as is."

CV-13-785. Troy Russell Johnson et al. v. Henk de Kros et al., from Pulaski County Circuit Court, Second Division. Appellees' motion to supplement the record and stay briefing time.

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CASES SUBMITTED

CR-13-258. Timothy Lee Holt v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-13-435. Craig Steven Farrow v. State of Arkansas, from Crittenden County Circuit Court.

CR-13-474. William Fountain, Jr. v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-13-548. Frankie Lee Brown v. State of Arkansas, from Pulaski County Circuit Court, Second Division.

CR-13-602. Terrence Dewayne Tatum v. State of Arkansas, from Pulaski County Circuit Court, Second Division.

CR-13-610. Wendi Cox v. State of Arkansas, from Columbia County Circuit Court.

CV-13-66. Cathy Davis Dozier v. John Dozier, from Garland County Circuit Court.

CV-13-75. Timothy Roger Simpson v. Bobby Simpson, from Craighead County Circuit Court, Western District.

CV-13-393. Jessica Lassiter v. David Browning, from Craighead County Circuit Court, Western District.

CV-13-450. James F. Valley v. State of Arkansas, from Pulaski County Circuit Court, Third Division.

CV-13-574. Petrohawk Energy Corporation v. Hamil Well Services, LLC, and Bronson Butler, from Van Buren County Circuit Court.

CV-13-886. Chrystal Castillo-Chavez v. Arkansas Department of Human Services, from Johnson County Circuit Court.

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CASES SUBMITTED

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

E-13-592. Windee Hall v. Director et al.

E-13-593. Jarod Harris v. Director et al.

E-13-594. Joseph Moss v. Director et al.

E-13-595. Tyrell J. Ware v. Director et al.

E-13-596. Daniel Koliyah v. Director et al.

E-13-597. Marcus Tate v. Director et al.

E-13-598. Linda Owens v. Director et al.

E-13-599. Cynthia Stroud v. Director et al.

E-13-600. Terrie Robinson v. Director et al.

E-13-601. Charles Stenson v. Director et al.

E-13-602. Carol Guenther v. Director et al.

E-13-603. Flora Lunsford v. Director et al.

E-13-604. Gary Bryant v. Director et al.

E-13-605. Carl Windham v. Director et al.

E-13-606. Ilif Rundall v. Director et al.

E-13-607. Marilyn Gibbs v. Director et al.

E-13-609. Elizabeth Smith v. Director et al.

E-13-610. Ann Culbertson v. Director et al.

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CASES SUBMITTED

- E-13-611. James Spinks v. Director et al.
- E-13-612. Stephen Henson v. Director et al.
- E-13-613. Danielle Smith v. Director et al.
- E-13-614. Rodney Daniels v. Director et al.
- E-13-615. David C. Hardin v. Director et al.
- E-13-616. Denise Carpenter v. Director et al.
- E-13-617. Brandie Baker v. Director et al.
- E-13-618. Shelly Anderson v. Director et al.
- E-13-619. Carol Ann Rodgers v. Director et al.
- E-13-620. Chad Burroughs v. Director et al.
- E-13-621. Charlotte Marshall v. Director et al.
- E-13-622. Raymond Hughes v. Director et al.
- E-13-623. Donald Miller v. Director et al.
- E-13-624. Jesse Turner, Jr. v. Director et al.
- E-13-625. Maureen Toliver v. Director et al.
- E-13-626. Alice M. Henderson v. Director et al.
- E-13-627. Julian Harvey v. Director et al.
- E-13-628. Carlotta Weathers v. Director et al.