

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 9, 2012**

LARRY D. VAUGHT, CHIEF JUDGE:

[CA11-1283](#). David Cass v. Arkansas Department of Human Services, from Benton Circuit. Affirmed. Gladwin and Wynne, JJ., agree.

[CA11-1309](#). Daniel Murphy v. Weatherford International and Chartis Claims, Inc., from the Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Wynne, JJ., agree.

JOHN MAUZY PITTMAN, JUDGE:

[CA11-789](#). Arkansas State Highway Commission v. Thomas Ewell Burrow Family Trust, from Garland Circuit. Appeal dismissed. Abramson and Brown, JJ., agree.

[CA11-1197](#). Centerpoint Energy Gas Transmission Company v. James D. Green, from Garland Circuit. Affirmed. Hart and Glover, JJ., agree.

ROBERT J. GLADWIN, JUDGE:

[CACR11-959](#). Rodney Dean Arter v. State of Arkansas, from Crawford Circuit. Affirmed in part; reversed in part. Abramson, J., agrees. Vaught, C.J., concurs.

[CA11-1241](#). Darrell Delancey v. Don Qualls, Danny Qualls, and David Qualls, d/b/a Qualls Construction Company and John Doe I and John Doe II, from Woodruff Circuit. Dismissed without prejudice. Vaught, C.J., and Wynne, J., agree.

JOHN B. ROBBINS, JUDGE:

[CACR11-1202](#). D.D.R. v. State of Arkansas, from Pulaski Circuit, Seventh Division. Affirmed. Martin and Hoofman, JJ., agree.

[CA11-1169](#). David Brown v. Arkansas Department of Correction (Sex Offender Screening and Risk Assessment), from Sebastian Circuit, Fort Smith District. Reversed and remanded. Martin and Hoofman, JJ., agree.

ROBIN F. WYNNE, JUDGE:

[CACR11-646](#). Mark Stephen Howerton v. State of Arkansas, from Benton Circuit. Affirmed as modified. Vaught, C.J., and Gladwin, J., agree.

[CA11-1139](#). Sheila Goslee v. Robert J. Goslee, from Garland Circuit. Affirmed. Vaught, C.J., and Gladwin, J., agree.

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RITA W. GRUBER, JUDGE:

[CA11-1041](#). Glen Stevens v. Patrick Stair, Lee R. Brewer, Randall Gilpatrick, and Rebecca Gilpatrick, from Stone Circuit. Affirmed. Wynne and Brown, JJ., agree.

DAVID M. GLOVER, JUDGE:

[CA11-1280](#). John L. Baldwin, Jr. v. Rhonda Lynn Baldwin, from Lonoke Circuit. Affirmed. Hart and Gruber, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CACR11-441](#). David Swarthout v. State of Arkansas, from Lonoke Circuit. Affirmed; motion to withdraw granted. Pittman and Brown, JJ., agree.

DOUG MARTIN, JUDGE:

[CACR11-368](#). Phillip Kimmel v. State of Arkansas, from Jefferson Circuit. Affirmed; motion to withdraw granted. Robbins and Hoofman, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CACR11-1028](#). David Lee Williams v. State of Arkansas, from Hempstead Circuit. Affirmed. Robbins and Martin, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CACR11-964](#). Charles Lee Hancock v. State of Arkansas, from Grant Circuit. Affirmed. Pittman and Abramson, 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).

- E12-8. Robin Reed v. Director et al.
- E12-10. Phyllis Jiles v. Director et al.
- E12-11. Karen Reed v. Director et al.
- E12-12. Linda Anderson v. Director et al.
- E12-13. Steven Allen v. Director et al.
- E12-14. Earnest Thorn v. Director et al.

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**PER CURIAM ORDERS**

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

CA11-958. Fred's Stores of Tennessee, Inc.; Indemnity Insurance Company of North America; and Sedgwick Claims Management v. Melvin Ely, from the Arkansas Workers' Compensation Commission.

CA11-1087. Capstone Oilfield Disposal of Arkansas, Inc. v. Pope County, Arkansas; Arnold Bowden; Dusty Hampton; Connie Aday; and Kenneth Bowden, from Pope Circuit.

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CACR11-585. Antonio Marcus Wright v. State of Arkansas, from Columbia Circuit. Motion of Sherri L. Latimer for attorney's fees is granted. Allowed \$1,600.00.

CACR11-936. Dewayne Boykin v. State of Arkansas, from Hot Spring Circuit. Motion of Gregory Crain for attorney's fees is granted. Allowed \$600.00.

CACR11-1054. Sharvelt Marquette Mister v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motion to remand to settle the record and to stay the briefing schedule is granted.

CACR11-1187. Mycheal Kinard v. State of Arkansas, from Garland Circuit. Appellant's pro se motion for replacement of counsel is denied.

CACR12-265. Demarico Hay v. State of Arkansas, from Pulaski Circuit, Second Division. Motion of Fernando Padilla to be relieved and for appointment of counsel for appellant. Motion to be relieved is granted. Appeal dismissed for lack of jurisdiction.

CA11-562. Thomas B. Queen v. Nortel Networks, Inc., from Workers' Compensation Commission. Appellant's motion for attorney's fees is granted in the amount of \$1,000.00.

CA11-1106. Kenneth O. Nicholson et al. v. Upland Industrial Development Company and Seeco, Inc., from White Circuit. Appellants' motion to stay briefing schedule, extend time to file appellants' reply brief, and to enlarge brief size. Motion to extend brief time granted. Motion to enlarge brief denied.

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**PER CURIAM ORDERS**

CA12-248. Josie Payne v. Arkansas Department of Human Services and minor child, from Union Circuit. Appellant's motion to correct the record and to stay brief time is granted.

CA12-312. Steven Owen Brown v. Kristina Petrovna Grigorenko, from Greene Circuit. Appellant's motion to consolidate CA12-312 and CA12-313 is granted. Gladwin, J., would deny.

**ARKANSAS COURT OF APPEALS**

**PROCEEDINGS OF MAY 9, 2012**

**MOTIONS SUBMITTED**

PETITIONS FOR REHEARING:

CA11-741. Charolette Ashley v. Richard H. Ashley and J.D. Ashley, Jr., in their capacity as personal representatives for the Estate of J.D. Ashley, Sr., deceased, from Pulaski Circuit, Sixteenth Division.

CA11-1099. James Merryman and Phyllis Merryman v. Debra Cargile, from Van Buren Circuit.

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CACR11-16. Lori Ann Pamplin v. State of Arkansas, from Grant Circuit. Motion of Bob Frazier for attorney's fees.

CACR11-585. Antonio Marcus Wright v. State of Arkansas, from Columbia Circuit. Motion of Sherri L. Latimer to be relieved as counsel for appellant.

CACR11-878. Geralrod Kent Williams v. State of Arkansas, from Garland Circuit. Motion of Darren A. Gibbs for attorney's fees.

CACR11-994. Joe McKinley Jones, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal.

CACR11-1029. Robert Dale Mathis v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees.

CACR11-1030. James D. Horton v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees.

CACR11-1031. Frankie Lee Hatton v. State of Arkansas, from Lonoke Circuit. Motion of Robert M. "Robby" Golden for attorney's fees.

CACR11-1073. Shavonna Gail Malone v. State of Arkansas, from Hot Spring Circuit. Motion of Bob Frazier for attorney's fees.

CACR12-260. Christian Leon Bustillos and Ivan Leon Bustillos v. State of Arkansas, from Lonoke Circuit. Appellants' joint motion to file a unified abstract.

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**MOTIONS SUBMITTED**

CA11-780. Les Marlow et al. v. United Systems of Arkansas, Inc., et al., from Pulaski Circuit, First Division. Appellants' motion to remand or alternatively for brief time.

CA11-971. Annette Jackson-Lockhart v. Arkansas Department of Health, from Workers' Compensation Commission. Appellant's motion for reconsideration.

CA11-1136. Bobby McMullen v. Healthcare Staffing Associates, Inc., et al., from Hot Spring Circuit. Appellant's motion to strike appellee's supplemental abstract.

CA11-1238. Guy Neal Wilkinson v. Pamela H. Smith, from Garland Circuit. Appellee's motion for sanctions.

CA12-27. Earvin Davis, Jr. v. Action Mechanical et al., from Workers' Compensation Commission. Appellant's motion to dismiss appeal.

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**PROCEEDINGS OF MAY 9, 2012**

**SUBMISSIONS**

CACR11-568. Felipe Reyes v. State of Arkansas, from Miller Circuit.

CACR11-685. Shandra Latrice Leflore v. State of Arkansas, from Crittenden Circuit.

CACR11-1079. Kendell Clifton Nickelson v. State of Arkansas, from Ashley Circuit.

CACR11-1211. Billy Gene Morgan v. State of Arkansas, from Crittenden Circuit.

CACR11-1242. Ronald L. Davis v. State of Arkansas, from Jefferson Circuit.

CACR11-1292. Antonio Lamont Smith v. State of Arkansas, from Pulaski Circuit, Second Division.

CACR12-19. Mackenzie Pickering v. State of Arkansas, from Pope Circuit.

CA11-1014. Michael Crutchfield v. Arkansas Department of Human Services and Minor Children, from Sebastian Circuit, Fort Smith District.

CA11-1205. Farris E. Holliman et al. v. Linda S. Johnson et al., from Cleburne Circuit.

CA11-1234. Joe Vander Heyden v. Cindy Vander Heyden, from Pulaski Circuit, Fourteenth Division.

CA11-1288. US Fuel International, Inc., et al. v. Murphy Oil USA, Inc., from Lonoke Circuit.

CA12-18. Matthew Gregory and Desarae Gregory v. Arkansas Department of Human Services and Minor Children, from Garland Circuit.



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**SUBMISSIONS**

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

E12-27. Larry Crawford v. Director et al.

E12-28. Angela Barrett v. Director et al.

E12-29. Larry Bles v. Director et al.

E12-30. Tiffany Myers v. Director et al.

E12-31. Irene McClina v. Director et al.

E12-32. Shade Culclager III v. Director et al.

E12-33. Valerie Estell v. Director et al.

E12-34. Calvin Reese v. Director et al.

E12-35. Jerry Willis v. Director et al.

E12-36. CLA Grills & Service v. Director et al.

E12-37. Richard Sims v. Director et al.

E12-38. Robert Bridges v. Director et al.