

**ARKANSAS REPORTS  
VOLUME 286**

**ARKANSAS  
APPELLATE REPORTS  
VOLUME 15**

THIS BOOK CONTAINS  
**ARKANSAS REPORTS**  
Volume 286

CASES DETERMINED  
IN THE  
**Supreme Court  
of Arkansas**

FROM  
May 6, 1985 — September 16, 1985  
INCLUSIVE<sup>1</sup>

AND

**ARKANSAS APPELLATE  
REPORTS**  
Volume 15

CASES DETERMINED  
IN THE  
**Court of Appeals  
of Arkansas**

FROM  
May 1, 1985 — September 11, 1985  
INCLUSIVE<sup>2</sup>

PUBLISHED BY THE  
STATE OF ARKANSAS  
1985

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<sup>1</sup>Arkansas Supreme Court cases (ARKANSAS REPORTS) are in the front section, pages 1 through 505. Cite as 286 Ark. — (1985).

<sup>2</sup>Arkansas Court of Appeals cases (ARKANSAS APPELLATE REPORTS) are in the back section, pages 1 through 406. Cite as 15 Ark. App. — (1985).



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**ATLANTA, GEORGIA 30310**  
**1985**

# ARKANSAS REPORTS

Volume 286

CASES DETERMINED  
IN THE

## Supreme Court of Arkansas

FROM  
May 6, 1985 — September 16, 1985  
INCLUSIVE

CLYDE DICKENS CALLIOTTE  
REPORTER OF DECISIONS

MARLO M. BUSH  
ASSISTANT  
REPORTER OF DECISIONS

PUBLISHED BY THE  
STATE OF ARKANSAS  
1985

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**JUSTICES AND OFFICERS  
OF THE  
SUPREME COURT OF  
ARKANSAS**

**DURING THE PERIOD COVERED  
BY THIS VOLUME**

**(May 6, 1985 —  
September 16, 1985, inclusive)**

**JUSTICES**

<b>JACK HOLT, JR.</b>	<b>Chief Justice</b>
<b>GEORGE ROSE SMITH</b>	<b>Associate Justice</b>
<b>DARRELL HICKMAN</b>	<b>Associate Justice</b>
<b>JOHN I. PURTLE</b>	<b>Associate Justice</b>
<b>ROBERT H. DUDLEY</b>	<b>Associate Justice</b>
<b>STEELE HAYS</b>	<b>Associate Justice</b>
<b>DAVID NEWBERN</b>	<b>Associate Justice</b>

**OFFICERS**

<b>STEVE CLARK</b>	<b>Attorney General</b>
<b>DONA L. WILLIAMS</b>	<b>Clerk</b>
<b>JACQUELINE S. WRIGHT</b>	<b>Librarian</b>
<b>CLYDE DICKENS CALLIOTTE</b>	<b>Reporter of Decisions</b>

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## ROBERT H. DUDLEY, ASSOCIATE JUSTICE:

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## STANDARDS FOR PUBLICATION OF OPINIONS

## Rule 21

Rules of the Arkansas Supreme Court and Court of Appeals  
OPINIONS

1. All signed opinions of the Supreme Court shall be designated for publication.

2. Opinions of the Court of Appeals may be in conventional form or in memorandum form. They shall be filed with the Clerk. The opinions need not contain a detailed statement of the facts, but may set forth only such matters as may be necessary to an understandable discussion of the errors urged. In appeals from decisions of the Arkansas Board of Review in unemployment compensation cases when the Court finds the decision appealed from is supported by substantial evidence, that there is an absence of fraud, no error of law appears in the record and an opinion would have no precedential value, the order may be affirmed without opinion.

3. Opinions of the Court of Appeals which resolve novel or unusual questions will be released for publication when the opinions are announced and filed with the Clerk. The Court of Appeals may consider the question of whether to publish an opinion at its decision-making conference and at that time, if appropriate, make a tentative decision not to publish. Concurring and dissenting opinions will be published only if the majority opinion is published. All opinions that are not to be published shall be marked, Not Designated For Publication.

4. Opinions of the Court of Appeals not designated for publication shall not be published in the official reports and shall not be cited, quoted, or referred to by any court or in any argument, brief, or other materials presented to any court (except in continuing or related litigation upon an issue such as res judicata, collateral estoppel, or law of the case). Opinions not designated for publication shall be listed in the Arkansas Reports by case number, style, date, and disposition.

5. Copies of All Opinions Available. — In every case the Clerk will furnish without charge one typewritten copy of all of either court's published or unpublished opinions in the case to counsel for every party on whose behalf a separate brief was filed. The charge for additional copies is fixed by statute.

**OPINIONS NOT DESIGNATED FOR PUBLICATION**

- Abdullah v. State, CR 85-65 (Per Curiam), Pro Se Motion for Transcript at Public Expense denied May 6, 1985.
- Bennett v. State, CR 84-119 (Per Curiam), Pro Se Rule 37 Petition denied May 6, 1985.
- Berna v. State, CR 83-153 (Per Curiam), Pro Se Rule 37 Petition denied June 3, 1985.
- Birts v. State, CR 85-90 (Per Curiam), Pro Se Rule 37 denied June 17, 1985.
- Boyd v. State, CR 85-87 (Per Curiam), Pro Se Rule 37 Petition denied June 3, 1985.
- Brown v. State, CR 85-110 (Per Curiam), Pro Se Rule 37 Petition denied July 8, 1985.
- Brown v. State, CR 85-117 (Per Curiam), Pro Se Rule 37 Petition denied September 9, 1985.
- Bumgarner v. State, CR 83-20 (Per Curiam), Pro Se Rule 37 Petition denied May 20, 1985.
- Burnell v. State, CR 85-91 (Per Curiam), Pro Se Motion for Extension of Time and Appointment of Counsel denied July 15, 1985.
- David v. State, CR 84-200 (Per Curiam), Pro Se Motion for Transcript at Public Expense denied July 8, 1985.
- Ford v. State, CR 85-22 (Per Curiam), affirmed May 13, 1985.
- Forgy v. State, CR 85-79 (Per Curiam), Rule 37 Petition denied without prejudice May 6, 1985.
- Forrest v. State, (Per Curiam), Motion for Rule on Clerk to Lodge Transcript denied May 13, 1985.
- Fraser v. State, CR 85-5 (Per Curiam), affirmed September 9, 1985.
- Frazier v. State, CR 85-125 (Per Curiam), Pro Se Rule 37 Petition denied July 15, 1985.
- Garcia v. State (Per Curiam), Motion for Rule on the Clerk to Lodge Transcript denied September 16, 1985.
- Garza v. State (Per Curiam), Pro Se Motion for belated Appeal denied May 6, 1985.
- Gault v. State, CR 85-19 (Per Curiam), affirmed May 28, 1985.
- Girtman v. State, CR 84-170 (Per Curiam), Pro Se Rule 37 Petition denied June 24, 1985.
- Grooms v. State, CR 85-140 (Per Curiam), Motion to Supplement the Record on Appeal granted in part and denied in part September 16, 1985.
- Haywood v. State (Per Curiam), Pro Se Motion for Rule on the Clerk granted July 1, 1985.
- Heard v. State, CR 84-158 (Per Curiam), Pro Se Rule 37 Petition denied July 15, 1985.

- Johnson v. State (Per Curiam), Motion for Rule on the Clerk denied June 17, 1985.
- Jones v. State, CR 85-118 (Per Curiam), remanded September 16, 1985.
- Long v. State, CR 85-121 (Per Curiam), Pro Se Petition for Writ of Certiorari denied July 1, 1985.
- McConaughy v. State, CR 85-127 (Per Curiam), Pro Se Motion for Extension of Time to File Petition for Writ of Certiorari denied July 8, 1985.
- Magby v. State, CR 85-113 (Per Curiam), Pro Se Rule 37 Petition denied July 15, 1985.
- Marbley v. State, CR 83-112 (Per Curiam), Pro Se Rule 37 Petition denied July 15, 1985.
- Mason v. State, CR 85-64 (Per Curiam), Petition to Proceed pursuant to Criminal Procedure Rule 37 granted May 13, 1985.
- Nord v. State, CR 85-98 (Per Curiam), Pro Se Rule 37 Petition denied July 1, 1985.
- Odum v. State, CR 85-97 (Per Curiam), Rule 37 Petition denied June 3, 1985.
- Partin v. Hartje, CR 85-141 (Per Curiam), Petition for Writ of Mandamus denied September 16, 1985.
- Peebles v. Burnett, 85-197 (Per Curiam), Petition for Writ of Mandamus denied September 16, 1985.
- Penn v. State, CR 84-43 (Per Curiam), Pro Se Motion for Transcript at Public Expense denied June 3, 1985.
- Putillo v. State, CR 84-140 (Per Curiam), affirmed May 28, 1985.
- Rayford v. State, CR 84-150 (Per Curiam), Pro Se Rule 37 Petition denied June 24, 1985.
- Sheppard v. State, CR 85-100 (Per Curiam), Pro Se Motion for Appointment of Counsel denied June 24, 1985.
- Sims v. State, CR 85-58 (Per Curiam), Pro Se Motion for Transcript at Public Expense denied September 16, 1985.
- Singleton v. State (Per Curiam), Pro Se Motion for Belated Appeal and Appointment of Counsel denied June 3, 1985.
- Smith v. State, CR 85-88 (Per Curiam), Pro Se Rule 37 Petition denied June 3, 1985.
- Thompson v. State, CR 82-133 (Per Curiam), Rule 37 Petition denied September 16, 1985.
- Vann v. State, CR 85-74 (Per Curiam), Pro Se Motion for Transcript at Public Expense denied May 6, 1985.
- Varnedare v. State, CR 85-74 (Per Curiam), affirmed May 13, 1985.
- Ward v. State (Per Curiam), Motion for Reconsideration of Rule on the Clerk to lodge Transcript denied May 6, 1985.
- Webster v. State, CR 84-59 (Per Curiam), Pro Se Rule 37

**APPENDIX**  
**Rules Adopted**  
**and/or Amended**  
**by Per Curiam Orders**



IN RE: AMENDMENT OF RULE 5 OF THE RULES  
OF APPELLATE PROCEDURE

690 S.W.2d 349

Supreme Court of Arkansas  
May 20, 1985

PER CURIAM. The next to the last sentence of Rule 5(b) of the Rules of Appellate Procedure is amended to read as follows, effective today:

In no event shall the time be extended more than seven (7) months from the date of the entry of the judgment, decree or order, or from the date on which a timely postjudgment motion under Rule 4(b) is deemed to have been disposed of under Rule 4(c), whichever is later.

---

IN THE MATTER OF AMENDMENT OF THE  
ARKANSAS RULES OF CIVIL PROCEDURE AND  
THE ARKANSAS RULES OF APPELLATE  
PROCEDURE

692 S.W.2d 231

Supreme Court of Arkansas  
Opinion delivered June 24, 1985

PER CURIAM. The first paragraph of Arkansas Rules of Civil Procedure 5(a) is amended effective September 1, 1985, to read as follows:

*Rule 5, Ark. R. Civ. P.*

SERVICE AND FILINGS OF PLEADINGS AND  
OTHER PAPERS

(a) Service: When Required. Except as otherwise provided in these rules, every pleading and every other paper, *including all written communications with the court*, filed subsequent to the complaint, except one which may be heard ex parte, shall be served upon each of the parties, unless the court orders otherwise because of numerous parties. No service need be made upon parties in

default for failure to appear, except that pleadings asserting new or additional claims for relief against them shall be served in the manner provided for service of summons in Rule 4. [Added portion italicized.]

\*\*\*

*Additions to Reporter's Note, 1985 Amendment:* The first sentence of Rule 5(a) is amended to make plain that all correspondence between counsel and the court is to be served upon all parties. As the Reporter's Note to the original version of this rule indicates, the phrase "every other paper" is to be given an expansive reading and includes "all pleadings, papers and other documents generated in the lawsuit. . . ." Without intending to limit the breadth of the term, this amendment simply specifies by way of illustration a "paper" falling within the rule. Thus, the amended rule requires, for example, service of a precedent for judgment prepared at the court's request. *Compare Karam v. Halk*, 260 Ark. 3, 537 S.W.2d 797 (1976).

The following additions to the reporter's notes are adopted for publication with the changes in Ark. R. App. P. 2(a) and Ark. R. App. P. 5(b) effected, respectively, by our *per curiam* orders of March 18, and May 20, 1985:

*Rule 2(a), Ark. R. App. P.*

*Additions to Reporter's Notes, 1985 Amendment:* Subsection (9) is added to Rule 2(a) to permit appeal to the Supreme Court of an order certifying a case as a class action under Rule 23, Ark. R. Civ. P. *See Ford Motor Credit Co. v. Nesheim*, 285 Ark. 253, 686 S.W.2d 777 (1985). The Supreme Court has previously held that an order denying class certification is appealable under Rule 2. *Drew v. First Federal Savings & Loan Ass'n*, 271 Ark. 667, 610 S.W.2d 876 (1981). In contrast, neither type of order is immediately appealable in the federal courts. *See Coopers & Lybrand v. Livesay*, 437 U.S. 463 (1978); *Gardner v. Westinghouse Broadcasting Co.*, 437 U.S. 478 (1978).

*Rule 5(b), Ark. R. App. P.*

*Additions to Reporter's Notes, 1985 Amendment:*

The next to last sentence of Rule 5(b) is amended to eliminate confusion that had existed regarding the interplay between Rule 4, which governs the filing of the notice of appeal, and Rule 5, which governs the time for filing the record with the clerk of the Supreme Court. As amended, Rule 5(b) provides that the time for filing the record may not be extended more than seven months from either (1) the date of entry of judgment or order, or (2) the date on which a timely post judgment motion under Rule 4(b) has been deemed disposed of under Rule 4(c), whichever is later. *See Pentron Corp. v. Delta Steel & Constr. Co.*, 286 Ark. 91, 689 S.W.2d 539 (1985).

GEORGE ROSE SMITH, Justice, not participating.

---

IN THE MATTER OF LOCAL COURT RULES

692 S.W.2d 232

Supreme Court of Arkansas  
Opinion delivered June 24, 1985

**PER CURIAM.** The Arkansas Supreme Court Committee on Rules of Pleading, Practice and Procedure has for some time been considering problems associated with local court rules. Their study has been concerned specifically with conflicts between local court rules and the Arkansas Rules of Civil Procedure and unnecessary local rules as well as practical means of providing notice of local rules to counsel.

By a *per curiam* order of February 29, 1984, we invited comments on our committee's proposal to abolish all local rules. By a *per curiam* order of December 3, 1984, we asked the committee to study certain specific questions. The result of the latter order is a thorough report showing instances of conflicts between local rules and the Arkansas Rules of Civil Procedure.

The recommendations of our committee are as follows:

1. The Arkansas Supreme Court be requested to issue a

*per curiam* that would require the judges of the judicial districts within a specified time to review all local rules of that district for the purpose of identifying and removing such rules as are inconsistent with, contrary to or that parallel the Uniform Rules of Circuit and Chancery Courts or the Arkansas Rules of Civil Procedure, and those not otherwise necessary to the efficient administration of that court.

2. The guidelines for such a review should include:
  - (a) In those districts with more than one judge, or division, the review should be a joint effort.
  - (b) In determining whether there is a conflict with or a direct contravention of a Uniform Rule or a Rule of Civil Procedure, the intent and spirit of those rules should be controlling. For instance, a rule may permit the trial court to shorten time to answer interrogatories or request for admissions. This should be adjudicated on a case-by-case basis. A local rule should not be a substitute for an adjudication as these problems arise.
  - (c) Each trial judge should evaluate those rules dealing with decorum and administration by asking the question: "Is this rule indispensable, or can I do without the rule?"
3. The revised local rules of each district should be submitted to the Supreme Court. The court's Committee on Rules of Civil Procedure would be available to make a review and submit recommendations. The committee should be aware that local rules can be an indicator for modifications needed in a Uniform Rule or a Rule of Civil Procedure.
4. The members of the special study committee should present the results of this study and the recommendations to the Arkansas Judicial Council on May 25, 1985. The presentation will be an opportunity for the special study committee to give members of the bench the benefit of this study and the practical solution that is being offered.

These recommendations were endorsed by the Arkansas Judicial Council in its May 25, 1985, meeting.

We adopt the committee's recommendations and order that each circuit, chancery and probate judge comply with them and submit the required revised local rules to this court by February 1, 1986.

GEORGE ROSE SMITH, Justice, not participating.

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IN THE MATTER OF RULES GOVERNING  
ADMISSION TO THE BAR

692 S.W.2d 233

Supreme Court of Arkansas  
Opinion delivered July 1, 1985

PER CURIAM. The Supreme Court of the United States has held that a residency requirement for the taking of a bar examination contravenes the Privileges and Immunities Clause of the Constitution. *New Hampshire v. Piper*, 105 S.Ct. 1272 (1985). Similarly, federal district courts are now holding that a residency requirement for reciprocity contravenes the Privileges and Immunities Clause. *See, e.g. Stanley v. Missouri Board of Law Examiners*, 83-4434-CU-C-5, W. Dist. Mo., Central Div., (May 3, 1985). Accordingly, we modify our rule governing admission to the bar to eliminate the residency requirement for the taking of the bar examination, and we eliminate the rule on reciprocity.

Effective the date this opinion is published, Rule III of the Rules Governing Admission to the Bar, Ark. Stat. Ann. Vol. 3A, is amended to eliminate the residency requirement and shall provide:

Rule III

DUTIES OF THE BOARD

The Board shall provide questions to be used on examinations, and shall furnish to each applicant a set of such questions, on the day of examination.

The Board shall grade the examination papers and as

a Board ascertain the average grade of each applicant.

The names and addresses of applicants making an average grade of 75 percent on all subjects, and who shall have been found to be of good moral character, shall be certified to the Clerk of the Supreme Court, with a recommendation that they be licensed as attorneys-at-law and solicitors in chancery.

Effective the date this opinion is published, Rule XI of the Rules Governing Admission to the Bar is eliminated, and we no longer authorize admission by reciprocity.

GEORGE ROSE SMITH, J., not participating.

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IN THE MATTER OF THE ARKANSAS BAR  
ASSOCIATION: PETITION FOR THE ADOPTION OF  
NEW SUPREME COURT RULES ON PROFESSIONAL  
CONDUCT

83-187

Supreme Court of Arkansas  
Opinion delivered May 6, 1985

PER CURIAM. The Arkansas Bar Association has petitioned for the adoption of Model Rules of Professional Conduct by attorneys. In similar matters we have allowed time for interested parties to study the proposed changes and, if they deem it appropriate, to file objections thereto. We will take no further action on the petition until after August 1, 1985, to allow time for any responses to be filed.

**Appointments to  
Committees**

IN THE MATTER OF THE SUPREME COURT  
COMMITTEE ON THE UNAUTHORIZED PRACTICE  
OF LAW

689 S.W.2d 353

Supreme Court of Arkansas  
May 20, 1985

PER CURIAM. The Honorable John R. Graves, Hope, Arkansas, Fourth Congressional District, is hereby appointed to our Committee on the Unauthorized Practice of Law, replacing the Honorable Leroy Autrey, Texarkana, Arkansas.

The court expresses its gratitude to the Honorable Leroy Autrey, for his faithful service as a member of this committee.

---

IN RE: ARKANSAS SUPREME COURT BOARD OF  
CERTIFIED COURT REPORTER EXAMINERS

690 S.W.2d 1

Supreme Court of Arkansas  
May 20, 1985

PER CURIAM. The Honorable Darrell Hickman, Justice, Arkansas Supreme Court, is hereby appointed to the Arkansas Supreme Court Board of Certified Court Reporter Examiners, replacing the Honorable George Cracraft, Chief Judge, Arkansas Court of Appeals.

The court expresses its gratitude to the Honorable George Cracraft for his faithful service as a member of this Board.

---

IN RE: ARKANSAS SUPREME COURT BOARD OF  
CERTIFIED COURT REPORTER EXAMINERS

Supreme Court of Arkansas  
Opinion delivered July 8, 1985.

PER CURIAM. The following persons are reappointed to the Board of Certified Court Reporter Examiners for the terms



indicated to run from July 8, 1985.

Gayle Ford, Circuit/Chancery Judge, three years.

Walter Wright, Circuit Judge, three years.

Charles Eddy, Circuit Judge, two years.

Allen Hill, Searcy, three years.

Joan Porter, Fayetteville, two years.

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IN THE MATTER OF THE COMMITTEE ON RULES  
OF PLEADING, PRACTICE AND PROCEDURE

Supreme Court of Arkansas  
Opinion delivered July 1, 1985

PER CURIAM. Chancellor Jim Gunter of the Eighth Judicial District is appointed to membership on the Committee vice Chancellor Alex Sanderson.

We thank Chancellor Sanderson for his many years of faithful service on the Committee and for the substantial contribution he made to its work.

Justice George Rose Smith not participating.

**ARKANSAS  
APPELLATE  
REPORTS**

**Volume 15**

**CASES DETERMINED  
IN THE**

**Court of Appeals  
of Arkansas**

**FROM  
May 1, 1985 — September 11, 1985  
INCLUSIVE**

**CLYDE DICKENS CALLIOTTE  
REPORTER OF DECISIONS**

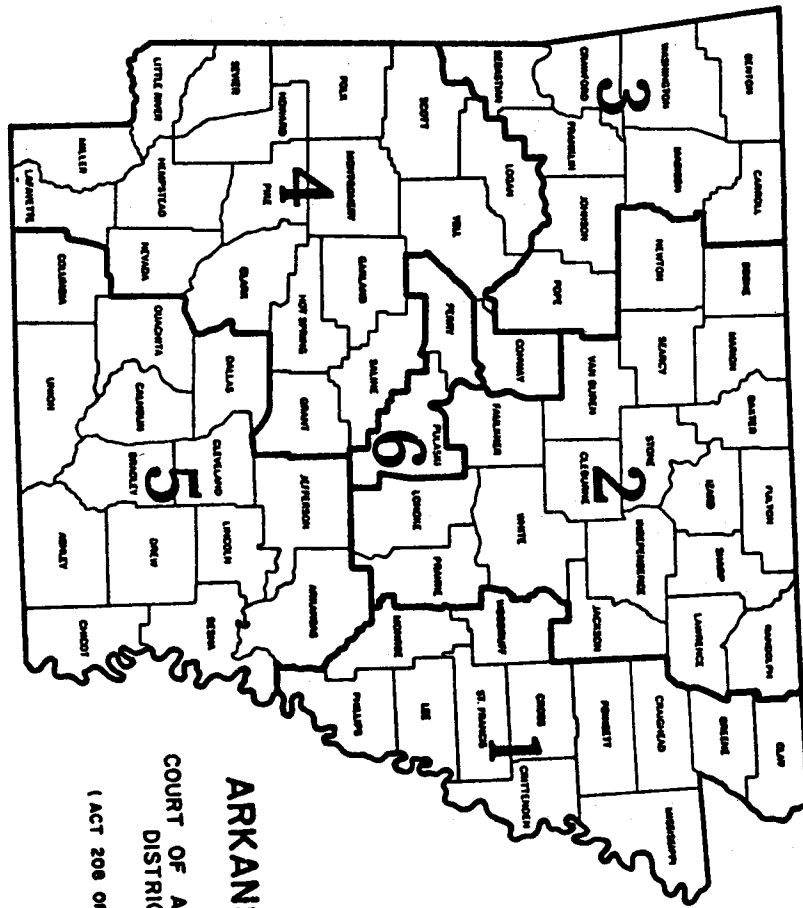
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**ARKANSAS**  
**COURT OF APPEALS**  
**DISTRICTS**  
**(ACT 208 OF 1979)**

**JUDGES AND OFFICERS  
OF THE  
COURT OF APPEALS  
OF ARKANSAS**

**DURING THE PERIOD COVERED  
BY THIS VOLUME**

(May 1, 1985 —  
September 11, 1985, inclusive)

**JUDGES**

<b>GEORGE K. CRACRAFT</b>	<b>Chief Judge<sup>1</sup></b>
<b>JAMES R. COOPER</b>	<b>Judge<sup>2</sup></b>
<b>LAWSON CLONINGER</b>	<b>Judge<sup>3</sup></b>
<b>DONALD L. CORBIN</b>	<b>Judge<sup>4</sup></b>
<b>MELVIN MAYFIELD</b>	<b>Judge<sup>5</sup></b>
<b>TOM GLAZE</b>	<b>Judge<sup>6</sup></b>

**OFFICERS**

<b>STEVE CLARK</b>	<b>Attorney General</b>
<b>DONA L. WILLIAMS</b>	<b>Clerk</b>
<b>JACQUELINE S. WRIGHT</b>	<b>Librarian</b>
<b>CLYDE DICKENS CALLIOTTE</b>	<b>Reporter of Decisions</b>

---

<sup>1</sup>District 1.

<sup>2</sup>District 2.

<sup>3</sup>District 3.

<sup>4</sup>District 4.

<sup>5</sup>District 5.

<sup>6</sup>District 6.

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**STANDARDS FOR PUBLICATION OF OPINIONS****Rule 21****Rules of the Arkansas Supreme Court and Court of Appeals  
OPINIONS**

1. All signed opinions of the Supreme Court shall be designated for publication.

2. Opinions of the Court of Appeals may be in conventional form or in memorandum form. They shall be filed with the Clerk. The opinions need not contain a detailed statement of the facts, but may set forth only such matters as may be necessary to an understandable discussion of the errors urged. In appeals from decisions of the Arkansas Board of Review in unemployment compensation cases when the Court finds the decision appealed from is supported by substantial evidence, that there is an absence of fraud, no error of law appears in the record and an opinion would have no precedential value, the order may be affirmed without opinion.

3. Opinions of the Court of Appeals which resolve novel or unusual questions will be released for publication when the opinions are announced and filed with the Clerk. The Court of Appeals may consider the question of whether to publish an opinion at its decision-making conference and at that time, if appropriate, make a tentative decision not to publish. Concurring and dissenting opinions will be published only if the majority opinion is published. All opinions that are not to be published shall be marked, Not Designated For Publication.

4. Opinions of the Court of Appeals not designated for publication shall not be published in the official reports and shall not be cited, quoted, or referred to by any court or in any argument, brief, or other materials presented to any court (except in continuing or related litigation upon an issue such as *res judicata*, collateral estoppel, or law of the case). Opinions not designated for publication shall be listed in the Arkansas Reports by case number, style, date, and disposition.

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5. Copies of All Opinions Available. — In every case the Clerk will furnish without charge one typewritten copy of all of either court's published or unpublished opinions in the case to counsel for every party on whose behalf a separate brief was filed. The charge for additional copies is fixed by statute.



**OPINIONS NOT DESIGNATED FOR PUBLICATION**

- Anderson v. State, CA CR 84-226 (Mayfield, J.), affirmed May 15, 1985.
- Arkla, Inc. v. Scheid, CA 84-356 (Cracraft, C.J.), affirmed May 15, 1985.
- Armstrong v. Hickman, CA 84-367 (Cooper, J.), affirmed May 29, 1985.
- Arvidson Realty Co. v. Mills, CA 84-348 (Cracraft, C.J.), affirmed May 15, 1985.
- Avery v. State, CA CR 85-41 (Per Curiam), affirmed September 11, 1985.
- Badeaux v. State, CA CR 85-42 (Cracraft, C.J.), affirmed September 4, 1985.
- Bailey Logging Co. v. Baker, CA 85-64 (Mayfield, J.), affirmed August 28, 1985.
- Barnhill Poultry Supply, Inc. v. Gary, CA 84-167 (Mayfield, J.), affirmed July 10, 1985.
- Benton v. Cooper Industrial Products, Inc., CA 84-414 (Mayfield, J.), affirmed May 1, 1985.
- Bracken v. Penn Athletics, CA 84-447 (Cooper, J.), affirmed May 8, 1985.
- Brannon v. Brannon, CA 85-48 (Corbin, J.), affirmed July 3, 1985.
- Brock v. Zable, CA 84-287 (Cloninger, J.), affirmed May 1, 1985.
- Brown v. B & J Security Service, Inc., CA 85-21 (Cooper, J.), affirmed May 22, 1985.
- Brown v. State, CA CR 85-6 (Per Curiam), affirmed July 3, 1985.
- Bruce Oakley, Inc. v. First Security Bank, CA 85-139 (Cloninger, J.), affirmed July 3, 1985.
- Camp v. State, CA CR 85-58 (Corbin, J.), affirmed September 11, 1985.
- Chrisman Ready-Mix, Inc. v. Director of Labor, E 84-113 (Mayfield, J.), affirmed May 22, 1985.
- Clack v. Clark, CA 84-369 (Corbin, J.), affirmed June 5, 1985.
- Collins v. State, CA CR 84-183 (Per Curiam), affirmed May 1, 1985.
- Cooper v. State, CA CR 85-62 (Cooper, J.), affirmed September 11, 1985.
- Coran v. Clinkscale, CA 84-264 (Mayfield, J.), reversed and remanded June 26, 1985.
- Crump v. Boles, CA 84-111 (Cracraft, C.J.), affirmed May 8, 1985.
- Davis v. Director of Labor, E 84-141 (Cloninger, J.), affirmed June 5, 1985.

- Davis v. State, CA CR 85-65 (Corbin, J.), affirmed June 5, 1985.
- Deaton v. Deaton, CA 85-42 (Cloninger, J.), affirmed July 10, 1985.
- Diffie v. State, CA CR 85-17 (Glaze, J.), affirmed June 12, 1985.
- Dooley v. State, CA CR 85-45 (Per Curiam), affirmed September 11, 1985.
- Drommer v. Morgan, CA 84-233 (Mayfield, J.), affirmed May 8, 1985.
- Drommer v. Morgan, CA 84-233 (Per Curiam), supplemental opinion on denial of rehearing June 5, 1985.
- Dunn v. State, CA CR 84-233 (Cracraft, C.J.), affirmed May 22, 1985.
- Easco Hand Tools, Inc. v. Director of Labor, E 85-9 (Mayfield, J.), reversed and dismissed June 5, 1985.
- Faulkner v. State, CA CR 84-225 (Corbin, J.), reversed and remanded July 3, 1985.
- Faulkner Fabricators, Inc. v. Buerer, CA 84-395 (Glaze, J.), affirmed June 19, 1985.
- Ferguson v. Rogers, CA 85-53 (Mayfield, J.), affirmed May 29, 1985.
- First State Bank of Crossett v. Taylor, CA 84-316 (Cloninger, J.), affirmed May 1, 1985.
- Franklin v. State, CA CR 85-31 (Cracraft, C.J.), affirmed September 4, 1985.
- Fraser Construction Co. v. Riddle, CA 85-41 (Cracraft, C.J.), affirmed May 29, 1985.
- G & H Handbag Co. v. Smith, CA 85-87 (Cooper, J.), affirmed August 28, 1985.
- Gardner v. State, CA CR 84-220 (Mayfield, J.), affirmed May 15, 1985.
- Garrett v. State, CA CR 85-24 (Glaze, J.), affirmed September 4, 1985.
- Germany v. State, CA CR 84-222 (Glaze, J.), affirmed May 22, 1985.
- Glover v. Walters, CA 84-383 (Corbin, J.), affirmed September 4, 1985.
- Griffin v. Griffin, CA 85-78 (Glaze, J.), affirmed August 28, 1985.
- Gunn v. State, CA CR 85-29 (Mayfield, J.), affirmed August 28, 1985.
- Harkreader v. State, CA CR 85-10 (Cooper, J.), affirmed June 12, 1985.
- Helmkamp v. A.O. Smith-Inland Co., CA 85-22 (Cloninger, J.), affirmed May 29, 1985.
- Hill v. State, CA CR 84-44 (Per Curiam), affirmed June 26, 1985.
- J & G Tie Co. v. Director of Labor, E 84-145 (Corbin, J.),

- affirmed September 11, 1985.
- Jones v. Emerson Electric Co., CA 84-393 (Glaze, J.), affirmed May 8, 1985.
- Jones v. State, CA CR 84-210 (Per Curiam), affirmed June 12, 1985.
- Jones v. State, CA 85-24 (Corbin, J.), affirmed August 28, 1985.
- L.B. Mangum & Sons Const. Co. v. R.W. Mfg. & Const., Inc., CA 84-276 (Mayfield, J.), affirmed May 1, 1985.
- Langston v. Langston, CA 85-9 (Cooper, J.), affirmed July 10, 1985.
- Langston v. State, CA CR 85-21 (Mayfield, J.), affirmed September 4, 1985.
- Lester v. Couch, CA 85-72 (Glaze, J.), affirmed June 26, 1985.
- Little Rock Truck & Trailer v. Blazer, CA 84-392 (Mayfield, J.), affirmed June 12, 1985.
- Longoria v. Longoria, CA 84-353 (Corbin, J.), affirmed May 15, 1985.
- Lowery v. State, CA CR 84-229 (Cracraft, C.J.), affirmed May 8, 1985.
- Loy v. State, CA CR 84-216 (Mayfield, J.), affirmed May 22, 1985.
- MacDonald v. State, CA CR 84-148 (Glaze, J.), affirmed May 1, 1985.
- McPhillips v. McPhillips, CA 84-429 (Corbin, J.), affirmed May 1, 1985.
- Marshall v. Alcoholic Beverage Control Board, CA 85-39 (Cracraft, J.), affirmed July 3, 1985.
- Martin v. Director of Labor, E 84-150 (Glaze, J.), affirmed September 11, 1985.
- Mason v. State, CA CR 84-230 (Glaze, J.), affirmed May 1, 1985.
- Matlock v. Matlock Electric Co., CA 84-419 (Cooper, J.), affirmed May 1, 1985.
- Maxwell v. State, CA CR 85-54 (Mayfield, J.), affirmed September 11, 1985.
- Milburg Factors, Inc. v. Chiechi, CA 84-179 (Mayfield, J.), affirmed June 19, 1985.
- Mitchell v. Odglen, CA 84-338 (Glaze, J.), affirmed May 15, 1985.
- Murphy v. State, CA CR 85-22 (Corbin, J.), affirmed August 28, 1985.
- National Security Fire & Casualty Co. v. Williams, CA 84-335 (Cloninger, J.), affirmed July 3, 1985.
- Neff v. State, CA CR 85-15 (Cracraft, J.), affirmed July 10, 1985.
- Nicholas v. SD Leasing, Inc., CA 84-209 (Mayfield, J.), reversed and remanded July 10, 1985.

- Nu-Way Laundry & Cleaners v. Palmer, CA 85-50 (Corbin, J.), affirmed June 12, 1985.
- O'Bryan v. Walnut Equipment Leasing Co., Inc., CA 84-391 (Corbin, J.), affirmed June 19, 1985.
- Owen v. McFall, CA 84-376 (Corbin, J.), affirmed June 12, 1985.
- Owen Drilling Co. v. Allison, CA 85-59 (Mayfield, J.), affirmed September 11, 1985.
- Ozark Gas Transmission System v. Opper, CA 84-368 (Cloninger, J.), affirmed June 12, 1985.
- Payton v. Payton, CA 84-357 (Cracraft, C.J.), affirmed May 8, 1985.
- Pierce v. Fagan Co., CA 85-89 (Cracraft, C.J.), affirmed August 28, 1985.
- Redden v. Director of Labor, E 84-120 (Cracraft, C.J.), affirmed May 22, 1985.
- Reed v. Fisher, CA 84-411 (Cloninger, J.), affirmed September 11, 1985.
- Roberts v. Simpson, CA 84-312 (Cloninger, J.), affirmed May 8, 1985.
- Roberts v. State, CA CR 84-234 (Cloninger, J.), affirmed July 3, 1985.
- Roper v. Galloway, CA 84-388 (Cloninger, J.), affirmed July 3, 1985.
- Rudder v. Rudder, CA 84-364 (Cracraft, C.J.), affirmed May 29, 1985.
- Safeway Stores, Inc. v. Rogers & Rogers, Inc., CA 84-349 (Cloninger, J.), reversed and dismissed June 19, 1985.
- Sain v. State, CA CR 84-197 (Mayfield, J.), affirmed June 12, 1985.
- Scarbrough v. Allied Chemical Corp., CA 85-80 (Cracraft, J.), affirmed August 28, 1985.
- Shackleford v. Plastics Research and Development Corp., CA 85-3 (Mayfield, J.), affirmed May 29, 1985.
- Shelton v. Moody, CA 85-44 (Glaze, J.), affirmed July 3, 1985.
- Siverd v. Siverd, CA 84-341 (Corbin, J.), affirmed May 8, 1985.
- Smith v. Howard, CA 84-360 (Glaze, J.), affirmed May 29, 1985.
- Southwest Homes v. Price, CA 85-86 (Cooper, J.), reversed September 4, 1985.
- Stuart v. State, CA CR 85-33 (Cooper, J.), affirmed September 4, 1985.
- Taylor v. Hagey, CA 84-404 (Glaze, J.), affirmed September 4, 1985.
- Thomas v. State, CA CR 85-60 (Glaze, J.), affirmed September 11, 1985.
- Thorne v. Thorne, CA 84-281 (Cooper, J.), affirmed June 26, 1985.
- Twiggy's Family Haircutters v. Director of Labor, E 84-137

- (Cooper, J.), reversed and remanded June 5, 1985.
- Venable v. North Little Rock Medical Laboratory, Inc., CA 84-401 (Cooper, J.), affirmed June 19, 1985.
- Weimer v. State, CA CR 84-214 (Cloninger, J.), affirmed May 1, 1985.
- Whitener v. Arkansas Alcoholic Bev. Control Bd., CA 84-322 (Cracraft, C.J.), affirmed May 1, 1985.
- Williams v. State, CA CR 85-20 (Cloninger, J.), affirmed August 28, 1985.
- Wilson v. State, CA CR 84-221 (Per Curiam), rehearing denied June 5, 1985.
- Wolverine Frolic Footwear v. Sullivan, CA 84-390 (Cloninger, J.), affirmed May 8, 1985.
- Woods v. Arkansas Waste Disposal, CA 84-250 (Cloninger, J.), affirmed May 22, 1985.
- Yeager v. Ozark Kenworth, CA 85-23 (Glaze, J.), affirmed June 5, 1985.
- Young v. Helena National Bank, CA 84-387 (Cooper, J.), affirmed June 19, 1985.

CASES AFFIRMED BY THE ARKANSAS COURT OF  
APPEALS WITHOUT WRITTEN OPINION  
PURSUANT TO RULE 21(2), RULES OF THE  
ARKANSAS SUPREME COURT AND  
COURT OF APPEALS

Acosta v. Director of Labor, E 84-184, May 15, 1985.  
Aud v. Director of Labor, E 85-46, September 4, 1985.  
Betts v. Director of Labor, E 85-43, September 4, 1985.  
Blocker v. Director of Labor, E 85-2, May 22, 1985.  
Callaway v. Director of Labor, E 85-12, May 29, 1985.  
Campbell v. Director of Labor, E 85-73, September 11, 1985.  
Cardwell v. Director of Labor, E 85-42, July 3, 1985.  
Carpenter v. Director of Labor, E 85-36, July 3, 1985.  
Clark v. Director of Labor, E 85-6, May 22, 1985.  
Coker v. Director of Labor, E 84-148, May 15, 1985.  
Conic v. Director of Labor, E 85-58, September 4, 1985.  
Cooperwood v. Director of Labor, E 85-16, May 29, 1985.  
DeClue v. Director of Labor, E 85-17, July 3, 1985.  
Edwards v. Director of Labor, E 85-64, September 11, 1985.  
Engeln v. Director of Labor, E 85-35, July 3, 1985.  
Evans v. Director of Labor, E 85-23, May 29, 1985.  
Fitzpatrick v. Director of Labor, E 85-8, May 8, 1985.  
Fivash v. Director of Labor, E 85-15, May 29, 1985.  
Flynt v. Director of Labor, E 85-33, May 8, 1985.  
Franklin & Son, Inc. v. Director of Labor, E 84-179, May 1,  
1985.  
George's, Inc. v. Director of Labor, E 85-21, May 29, 1985.  
Gillespie v. Director of Labor, E 85-61, September 11, 1985.  
Gist v. Director of Labor, E 85-59, July 10, 1985.  
Grisby v. Director of Labor, E 85-39, June 19, 1985.  
Gullick v. Director of Labor, E 85-55, July 10, 1985.  
Gwin v. Director of Labor, E 85-32, May 8, 1985.  
Harris v. Director of Labor, E 85-67, September 11, 1985.  
Harvey v. Director of Labor, E 85-30, June 19, 1985.  
Helter v. Director of Labor, E 85-60, September 4, 1985.  
Henson v. Director of Labor, E 85-49, July 10, 1985.  
Hollis v. Director of Labor, E 85-26, June 19, 1985.  
Jones v. Director of Labor, E 85-18, May 15, 1985.  
Kien v. Director of Labor, E 85-7, May 22, 1985.  
Kirkpatrick v. Director of Labor, E 85-62, September 4, 1985.  
Klingensmith v. Director of Labor, E 85-84, September 11, 1985.  
Lemons v. Director of Labor, E 84-183, September 4, 1985.  
Liquid Carbonic v. Director of Labor, E 85-5, May 22, 1985.  
Loveless v. Director of Labor, E 85-4, May 22, 1985.  
Medic-Aid Pharmacy v. Director of Labor, E 85-53, September

4, 1985.  
Miller v. Director of Labor, E 85-14, May 29, 1985.  
Pace v. Director of Labor, E 85-24, May 15, 1985.  
Parker v. Director of Labor, E 85-45, September 4, 1985.  
Perry v. Director of Labor, E 85-56, September 4, 1985.  
Pilgrim v. Director of Labor, E 85-29, June 19, 1985.  
Read v. Director of Labor, E 84-144, May 1, 1985.  
Richardson v. Director, E 84-186, May 1, 1985.  
Riley v. Director of Labor, E 85-20, May 15, 1985.  
Scalfaro v. Director of Labor, E 85-50, July 10, 1985.  
Scott v. Director of Labor, E 85-3, May 22, 1985.  
Shrum v. Director of Labor, E 85-37, July 3, 1985.  
Smith, Kay v. Director of Labor, E 85-10, May 29, 1985.  
Smith, Ollie Fay v. Director of Labor, E 85-47, July 10, 1985.  
Sylvester v. Director of Labor, E 85-28, May 8, 1985.  
Townsend v. Director of Labor, E 85-38, July 3, 1985.  
Tress v. Director of Labor, E 85-25, May 29, 1985.  
Trezvant v. Director of Labor, E 85-27, June 19, 1985.  
Tyler v. Director of Labor, E 85-74, September 11, 1985.  
Webb v. Director of Labor, E 84-123, July 3, 1985.  
Wendy's of Little Rock, Inc. v. Director of Labor, E 84-157, May 8, 1985.  
Williams v. Director of Labor, E 85-1, May 8, 1985.  
Willis v. Director of Labor, E 85-40, June 19, 1985.  
Wright v. Director of Labor, E 85-22, May 29, 1985.  
Yankee v. Director of Labor, E 85-51, July 10, 1985.