ARKANSAS COURT OF APPEALS

Opinions delivered
June 17, 2009

LARRY D. VAUGHT, CHIEF JUDGE:

CACR08-1513. Anthony Collins v. State of Arkansas, from Jefferson Circuit. Affirmed. Kinard and Brown, JJ., agree. UNPUBLISHED

CA08-1301. Gayle Marcks v. Tom Marcks, from Pulaski Circuit, Ninth Division. Affirmed. Kinard and Brown, JJ., agree. UNPUBLISHED

JOHN MAUZY PITTMAN:

CA08-902. Bette Gassman v. Shawn M. McAnulty, et al., from Pulaski Circuit, Second Division. Affirmed. Robbins and Gruber, JJ., agree. PUBLISHED

JOSEPHINE LINKER HART, JUDGE:

CACR08-507. William Edward Snider v. State of Arkansas, from Columbia Circuit. Affirmed. Baker, J., agrees. Robbins, J., concurs. PUBLISHED

CA09-184. Jennifer Reynolds and Raymond Reynolds v. Arkansas Department of Human Services, from Benton Circuit. Affirmed. Robbins and Baker, JJ., agree. UNPUBLISHED

ROBERT J. GLADWIN, JUDGE:

CA08-870. John Adams and Marie Adams, His Wife v. Bill Moody, from Baxter Circuit. Affirmed. Pittman, Robbins, and Kinard, JJ., agree. Hart and Gruber, JJ., dissent. PUBLISHED

CA09-47. Mike Killough & Betty Killough v. Audrey Farmer & John Rogers, from Johnson Circuit. Affirmed. Gruber and Glover, JJ., agree. UNPUBLISHED

JOHN B. ROBBINS, JUDGE:

CACR08-1442. William Ford v. State of Arkansas, from Pope Circuit. Affirmed. Baker, J., agrees. Hart, J., concurs. UNPUBLISHED

M. MICHAEL KINARD, JUDGE:

CACR08-1156. Raymond Graves v. State of Arkansas, from Crittenden Circuit. Affirmed. Vaught, C.J., and Brown, J., agree. UNPUBLISHED

CA08-1076. Melissa Carol Thetford v. Electric Cowboy, Inc.; Fremont Compensation; and Death & Permanent Total Disability Trust Fund, from Arkansas Workers' Compensation Commission. Affirmed on Direct Appeal; Affirmed on Cross Appeal. Vaught, C.J., and Robbins, J., agree. UNPUBLISHED

CA08-1163. Lee Campbell v. Michael E. Hankins, from Jefferson Circuit. Affirmed on Direct Appeal; Cross Appeal

Moot. Pittman, Hart, and Robbins, JJ., agree. Gladwin and Gruber, JJ., dissent. PUBLISHED

CA09-112. Natasha Caldwell v. Arkansas Department of Human Services, from Benton Circuit. Affirmed. Vaught, C.J., and Brown, J., agree. UNPUBLISHED

RITA W. GRUBER, JUDGE:

CACR08-1457. Michael Allen Hatcher v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed. Robbins and Brown, JJ., agree. PUBLISHED

CA08-1278. Karen Roebuck v. United Methodist Children's Home and AIG Insurance, from Arkansas Workers' Compensation Commission. Affirmed. Gladwin and Glover, JJ., agree. UNPUBLISHED

CA08-1466. Edward Johnson v. Superior Industries and Crockett Adjustments, from Arkansas Worker's Compensation Commission. Reversed and Remanded. Robbins and Brown, JJ., agree. UNPUBLISHED

DAVID M. GLOVER, JUDGE:

CA08-1321. Jeffrey A. Williams v. Lisa Williams, from Union Circuit. Affirmed. Gladwin and Gruber, JJ., agree. UNPUBLISHED

D. P. MARSHALL, JUDGE:

CACR08-1447. Blake Dowell McKenzie v. State of Arkansas, from Carroll Circuit, Western District. Supplemental Record and Rebriefing Ordered. Pittman and Henry, JJ., agree. UNPUBLISHED

CA08-456. Matthew Costley v. Arkansas Department of Human Services and Minor Children, from Pulaski Circuit, Eighth Division. Affirmed. Pittman and Henry, JJ., agree. UNPUBLISHED

CA09-81. Hope Harbin v. Arkansas Department of Health & Human Services, and Minor Children, from Garland Circuit. Affirmed; Motion to Withdraw Granted. Pittman and Henry, JJ., agree. UNPUBLISHED

COURTNEY HUDSON HENRY, JUDGE:

CA08-1483. Jill Ann Simpson Long, Belva Jean Simpson McDonald, and Joyce Weatherspoon v. Timothy Allen Simpson, from Randolph Circuit. Affirmed. Pittman, J. agrees. Marshall, J., concurs. UNPUBLISHED

CA09-91. Karen Wright v. Arkansas Department of Human Services, from Conway Circuit. Affirmed: Motion to be Relieved Granted. Pittman and Marshall, JJ., agree. UNPUBLISHED

PER CURIAM ORDERS

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

CA08-1245. Robert C. Gloris and Christine Jarboe v. Bobby J. Whitfield and RPM Management Company, from Pulaski Circuit, Sixteenth Division.

****

CACR08-527. Brittany Nicole Gartrell v. State of Arkansas, from Crawford Circuit. Motion of Kellie M. Emerson for attorney's fees and costs is granted. Allowed $1,400.00.

CACR08-1000. Robert E. Dugan v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Daniel Stewart for attorney's fees is granted. Allowed $1,000.00.

CACR08-1072. Dale Fitzgerald v. State of Arkansas, from Sebastian Circuit, Greenwood District. Motion of Charles E. Smith for attorney's fees is granted. Allowed $1,400.00.

CACR08-1203. Zane Edward Fair v. State of Arkansas, from Independence Circuit. Appellant's pro se motion to dismiss judgment of conviction is denied.

CACR08-1253. Brooke Ann Limon v. State of Arkansas, from Crawford Circuit. Motion of Victor D. Wright III for attorney's fees is granted. Allowed $850.00.

CACR08-1274. Lanelle Dean Holmes v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of David L. Dunagin for attorney's fees is granted. Allowed $1,400.00.

CACR08-1459. Thomas Price v. State of Arkansas, from Jefferson Circuit. Motion of Gary W. Potts for attorney's fees and costs is granted. Allowed $900.00.

CACR09-36. Demetrius Heard v. State of Arkansas, from Lonoke Circuit. Motion of Jonathan T. Lane for attorney's fees is granted. Allowed $750.00.

CA08-1011. A. L., a Minor v. State of Arkansas, from Washington Circuit. Motion of Erin Vinette for attorney's fees is granted. Allowed $1,400.00.

CA08-1139. Gene Ludwig v. Bella Casa, LLC et al., from Pulaski Circuit, Sixth Division. Appellant's unopposed motion to dismiss appeal without prejudice is granted. April 29, 2009, writ of certiorari to complete the record is vacated as moot. Kinard and Marshall, JJ., not participating.

CA08-1170. Jason Shively v. Michelle Shively Plautz, from Cleburne Circuit. Appellant's motion to supplement the abstract and file a substituted brief is granted. Substituted brief due within thirty days.

CA08-1170. Jason Shively v. Michelle Shively Plautz, from Cleburne Circuit. Appellee's motion for attorney's fees and costs for preparation of supplemental abstract is denied.

CA08-1346. Jerry Brasfield v. Jacqueline Murray, from Jefferson Circuit. Appellant's motion for belated filing of previously tendered brief is granted.

CA08-1395. R. G. Skinner and Susan M. Skinner v. Thomas L. Seliga et al., from Benton Circuit. Appellants' motion for taxation of costs and fees on appeal is granted. Pittman, Hart, and Gladwin, JJ., would deny.

CA09-103. Sondra Roberts v. Grant Butler, from Arkansas Circuit, Southern District. Appellee's motion for belated filing of previously tendered brief is granted.

CA09-162. Wade Roetzel v. Troy Coleman, from White Circuit. Appellant's motion for extension of brief time is granted.

CA09-162. Wade Roetzel v. Troy Coleman, from White Circuit. Joint motion to supplement the record is granted.

CA09-162. Wade Roetzel v. Troy Coleman, from White Circuit. Appellee's motion to dismiss appeal is denied.

CA09-248. Southpoint Health, LLC et al. v. Charlene Hammock, Personal Representative, from Pulaski Circuit, Fourteenth Division. Appellee's motion to clarify briefing schedule, or, in the alternative, for extension of brief time is

granted. Appellee's brief due thirty days after last appellant's brief is filed or is due. Gruber, J., not participating.

CA09-469. Linda Jo Robinson v. Walter Whit Barton, from Drew Circuit. Appellant's pro se motion to proceed informa pauperis is granted.

MOTIONS SUBMITTED

PETITION FOR REHEARING:

CA08-1022. Angie Fletcher v. Kevin Scorza, from Pulaski Circuit, Seventeenth Division.

****

CACR08-782. Detriawn Rondell Wade v. State of Arkansas, from Crittenden Circuit. Motion of S. Butler Bernard, Jr., for attorney's fees.

CACR08-816. Bobby R. Weatherford v. State of Arkansas, from Faulkner Circuit. Motion of William O. "Bill" James, Jr. for supplemental attorney's fees.

CACR08-1102. Michael Shane Wilmoth v. State of Arkansas, from Benton Circuit. Motion of Chad M. Green for attorney's fees.

CACR08-1221. Ymari Boyce Reid v. State of Arkansas, from Jefferson Circuit. Appellant's pro se motion for transcript at public expense.

CACR08-1255. Christopher Lee Burcham v. State of Arkansas, from Crawford Circuit. Motion of David O. Bowden for attorney's fees.

CACR08-1314. Timothy Duane Giffin v. State of Arkansas, from Miller Circuit. Motion of Jeff Harrelson for attorney's fees.

CACR08-1385. Edward Lee Carter v. State of Arkansas, from Garland Circuit. Appellant's pro se motion for transcript.

CACR09-16. Rosemary Blakes v. State of Arkansas, from Crittenden Circuit. Motion of Bart Ziegenhorn for attorney's fees.

CACR09-78. Calvin W. Clark v. State of Arkansas, from Craighead Circuit, Western District. Motion of Paul Teufel for attorney's fees.

CACR09-217. Antonio Madison v. State of Arkansas, from Jefferson Circuit. Appellee's motion to dismiss for lack of jurisdiction.

CACR09-217. Antonio Madison v. State of Arkansas, from Jefferson Circuit. Appellee's motion for extension of time pending motion to dismiss.

CACR09-358. Derrick White v. State of Arkansas, from Union Circuit. Motion of William O. "Bill" James, Jr., for attorney's fees.

CACR09-439. Joseph Stone, a/k/a Josiah Stone v. City of Fort Smith, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion to proceed in forma pauperis.

CACR09-543. Dwayne Gibson v. State of Arkansas, from Arkansas Circuit, Northern District. Motion of Dennis R. Molock to withdraw, for appointment of substitute counsel and to stay briefing schedule.

CACR09-589. Richard Lea Colvin v. State of Arkansas, from Faulkner Circuit. Motion of Lynn Plemmons to be relieved as counsel for appellant.

CACR09-589. Richard Lea Colvin v. State of Arkansas, from Faulkner Circuit. Appellant's pro se motion for appointment of counsel.

CA08-1078. Cecile S. Taylor v. Claudia C. Taylor et al., from Union Circuit. Appellees' motion for continuance of oral argument.

CA08-1181. Willie H. Lewis v. Roger Nelson and Jacobson Transportation Co., Inc., from Lonoke Circuit. Appellant's status report on bankruptcy proceedings.

CA08-1351. Gary Bodiford, M.D. v. Joy Street, LLC et al., from Washington Circuit. Appellees' status report on bankruptcy proceedings.

CA09-116. Arkansas Construction & Excavation, LLC v. City of Maumelle, Arkansas, from Pulaski Circuit, Ninth Division. Joint motion to supplement the record and for order on the clerk.

CA09-136. Jessica Schmit Chrisp v. Robert M. Schmit, from Benton Circuit. Motion of George R. Spence to withdraw as counsel for appellee.

CA09-231. Donald C. Hill et al. v. Kimberly Hill, from Garland Circuit. Appellee's motion to dismiss appeal.

CA09-231. Donald C. Hill et al. v. Kimberly Hill, from Garland Circuit. Appellee's motion for stay of brief time.

CA09-299. Bryan Foster v. Kann Enterprises et al., from Workers' Compensation Commission. Appellees' motion to file belated brief.

CA09-327. Reverend James Earl Berry and Barbara V. Berry v. Mt. Calvary Missionary Baptist Church, from Jefferson Circuit. Appellee's unopposed motion to dismiss appeal.

CA09-333. State of Arkansas, Office of Child Support Enforcement v. Kevin L. Jones, from Hot Spring Circuit. Appellee's motion to file belated brief.

CA09-434. William Doug Bell v. Jerry W. Hoofman et al., from White Circuit. Appellant's motion and supplement to motion for writ of certiorari, to remand and to stay briefing schedule.

CA09-477. S. Kelleen DesLauriers v. Richard Gautney, from Lonoke Circuit. Motion of Lloyd W. "Tre′" Kitchens, III to withdraw as counsel for appellant.

CA09-479. Arkansas Department of Human Services et al. v. Tammy Denmon, from Grant Circuit. Attorney ad Litem's motion for clarification of minor children's role and for brief time, if necessary.

CA09-479. Arkansas Department of Human Services et al. v. Tammy Denmon from Grant Circuit. Appellant's motion to supplement the record.

SUBMISSIONS

CACR07-1216. Robert L. Brown v. State of Arkansas, from Crittenden Circuit.

CACR07-1218. Darnell Miller v. State of Arkansas, from Crittenden Circuit.

CACR08-262. Willie Clarence McLeod v. State of Arkansas, from Crittenden Circuit.

CACR08-336. James Dickerson v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CACR08-408. Frederick Dwayne Mason v. State of Arkansas, from Pulaski Circuit, Second Division.

CACR08-588. Jeffrey L. Boen v. State of Arkansas, from Johnson Circuit.

CACR08-657. Damont L. Ewells v. State of Arkansas, from Garland Circuit.

CACR08-738. Edward S. McWilliams v. State of Arkansas, from Union Circuit.

CACR08-793. Jeremy Michael Richie v. State of Arkansas, from Faulkner Circuit.

CACR08-1044. Kevin D. Frazier v. State of Arkansas, from Ashley Circuit.

CACR08-1047. Leslie Cadwell v. State of Arkansas, from Jackson Circuit.

CACR08-1104. Antonio Deshun Sartin v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR08-1121. Dennis Eric Morgan v. State of Arkansas, from Drew Circuit.

CACR08-1157. Bobby Lee Green v. State of Arkansas, from Drew Circuit.

CACR08-1162. Latasha Maxwell v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR08-1252. Amy Ladonna Elkins v. State of Arkansas, from Crawford Circuit.

CACR08-1254. Frankie Von Holt v. State of Arkansas, from Crawford Circuit.

CACR08-1271. Stanley Ray Vick v. State of Arkansas, from Sebastian Circuit, Greenwood District.

CACR08-1401. Chisa Galloway v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CACR08-1412. James O. Williams v. State of Arkansas, from Saline Circuit.

CACR08-1472. Charlie L. Johnson v. State of Arkansas, from Crittenden Circuit.

CACR08-1479. John Devin Smith v. State of Arkansas, from Drew Circuit.

CACR08-1494. Charles Harris v. State of Arkansas, from Miller Circuit.

CACR09-12. Shawn Michael Lewis v. State of Arkansas, from Sharp Circuit.

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

E09-32. Melvin Jones v. Director et al.

E09-33. Georgie R. Pack v. Director et al.

E09-35. Renee M. Ellis v. Director et al.

E09-36. David D. Spangle v. Director et al.

E09-37. DeWayne A. King v. Director et al.

E09-38. Jimmy W. Hunter v. Director et al.

E09-39. Christie Sanford v. Director et al.

E09-40. Syble Ashley-Marsh v. Director et al.

E09-41. John B. Langley v. Director et al.

E09-42. Jessica Williams v. Director et al.

E09-43. Jerry G. Harder v. Director et al.

E09-44. Berline N. Nono v. Director et al.