



ARKANSAS JUDICIARY

Published on *Arkansas Judiciary* (<https://courts.arkansas.gov>)

---

## CA 05-1128

Case Number CA 05-1128 filed at this court on 10/14/2005

Case Category: Law

Case Caption:

WILMA LEE

ESTATE OF INDIANNA BARNES

V

MARK MARTINDALE, M.D.

GORDON SCHALLY, M.D.

RADIOLOGY ASSOCIATES, P.A.

Wilma Lee (ACTIVE) Appellant's counsel:

Charles Phillip Boyd Jr - LEAD

Estate of Indiana Barnes (ACTIVE) Appellant's counsel:

Radiology Associates, P.A. (ACTIVE) Appellee's counsel:

Mark Martindale, M.D. (ACTIVE) Appellee's counsel:

Laura Hensley Smith - LEAD

Gordon Schally, M.D. (ACTIVE) Appellee's counsel:

Overton S. Anderson - LEAD

Trial Court: Saline

Saline Circuit

Trial Court Number: CV2004-334-2

Trial Judge: Grisham A. Phillips Jr, Circuit Judge

----- EVENT LISTING -----

03/18/2008 Record placed with CA07-622

11/28/2006 Mandate to Clerk

11/08/2006 Brief Costs on Appeal = Aple \$99.00 - Mark Ma

Appellee's Attorney - Laura Hensley Smith

11/08/2006 Majority Opinion Rendered

ACTION = Dismissed

Opinion Date - 11/08/06 Consist of 0 pages,

Cite Number - Publish - no  
Samuel Norton Bird -- WRITING  
Gladwin and Roaf, JJ., agree.

11/08/2006 Opinion Panel  
Samuel Norton Bird -- WRITING

10/25/2006 Case Submitted  
Submitted to the court on - 10/25/06

10/25/2006 Court of Appeals Votesheet Issued

03/22/2006 Letter from Attorney - Did Not Receive Copy o  
Appellee's Attorney - Overton S. Anderson

03/15/2006 Reply Brief Filed Wilma Lee  
Appellant's Attorney - Charles Phillip Boyd Jr

03/15/2006 Checklist for Reply Briefs - Wilma Lee  
Appellant's Attorney - Charles Phillip Boyd Jr  
REPLY BRIEFS  
1. TABLE OF CONTENTS  
2. TABLE OF AUTHORITIES (IF ANY)  
3. ARGUMENT - 15 PAGES

03/02/2006 Brief Filed - Mark Martindale, M.D.  
Appellee's Attorney - Laura Hensley Smith

03/02/2006 Checklist for Appellee Briefs - Mark Martinda  
Appellee's Attorney - Laura Hensley Smith  
APPELLEE BRIEFS  
TABLE OF CONTENTS  
POINTS ON APPEAL  
TABLE OF AUTHORITIES  
STATEMENT OF THE CASE - FIVE PAGES (IF ANY)  
ARGUMENT - 25 PAGES  
SUPPLEMENTAL ADDENDUM INDEX (IF ANY)  
SUPPLEMENTAL ADDENDUM (IF ANY)

03/01/2006 Brief Filed Timely - Gordon Schally, M.D.  
Appellee's Attorney - Overton S. Anderson

03/01/2006 Checklist for Appellee Briefs - Mark Martinda  
Appellee's Attorney - Overton S. Anderson  
APPELLEE BRIEFS  
TABLE OF CONTENTS  
POINTS ON APPEAL  
TABLE OF AUTHORITIES  
SUPPLEMENTAL ABSTRACT (IF ANY)  
STATEMENT OF THE CASE - FIVE PAGES (IF ANY)  
ARGUMENT - 25 PAGES

SUPPLEMENTAL ADDENDUM INDEX (IF ANY)

SUPPLEMENTAL ADDENDUM (IF ANY)

02/01/2006 Record Checkout by Atty. of Record - Gordon Sch I  
Appellee's Attorney - Overton S. Anderson  
Number of Volumes 2  
Number of Sets 0

01/31/2006 Briefing Commenced - Gordon Schally, M.D.  
This event was tickled for 03/02/06

01/31/2006 Briefing Commenced - Mark Martindale, M.D.  
This event was tickled for 03/02/06

01/31/2006 Briefing Commenced - Radiology Associates, P.A.  
This event was tickled for 03/02/06

01/31/2006 Brief Filed Timely - Wilma Lee  
Appellant's Attorney - Charles Phillip Boyd Jr

01/31/2006 Checklist for Appellant's Briefs - Wilma Lee  
Appellant's Attorney - Charles Phillip Boyd Jr

REQUIREMENTS:

17 COPIES OF THE BRIEF

12 PICTH OR LARGER FONT SIZE

TEXT IS DOUBLE-SPACED

1 INCH MARGINS ON THE TOP, BOTTOM, & RIGHT MARGI

EACH MAJOR SECTION BEGINS WITH PAGE 1

CONTENTS:

TABLE OF CONTENTS

A. PAGE NUMBER REFERENCES TO EACH MAJOR SECTIO

B. PG REF TO THE ABS WHERE EACH WIT BEGIN TSMY

INFORMATION/JURIDITIONAL STATEMENT

POINTS ON APPEAL

TABLE OF AUTHORITIES

ABSTRACT

A. FIRST PERSON NARRATIVE

B. PAGE REFERENCES TO RECORD

STATEMENT OF THE CASE

A. FIVE PAGES OR LESS

B. PAGE REFERENCES TO THE ABSTRACT & ADDENDUM

ARGUMENT

A. TWENTY-FIVE PAGES OR LESS

B. PAGE REFERENCES TO THE ABSTRACT & ADDENDUM

C. SIGNATURE AND CERTIFICATE OF SERVICE

ADDENDUM

A. INDEX WITH PAGE REFERENCES TO THE RECORD

B. JUDGMENT/ORD/DECREE APPEALED FROM INCLUDED

C. NOTICE OF APPEAL INCLUDED

CIVIL CASE

12/14/2005 Objection to Motion - Gordon Schally, M.D.  
Appellee's Attorney - Overton S. Anderson

12/12/2005 Response to Motion - Mark Martindale, M.D.  
Appellee's Attorney - Laura Hensley Smith

12/08/2005 Brief Extension - Wilma Lee  
This event was tickled for 01/31/06  
Action = GRANTED on 12/13/05  
Appellant's Attorney - Charles Phillip Boyd Jr

11/09/2005 Letter Orders - Court of Appeals  
Submitted to the court on - 11/02/05  
Appellant's Attorney - Charles Phillip Boyd Jr

10/21/2005 Motion to Consolidate w/CA05-926 - Wilma Lee  
Submitted to the court on - 11/02/05  
Action = DENIED on 11/09/05  
Appellant's Attorney - Charles Phillip Boyd Jr  
Appellant's motion to consolidate with CA05-926. Denied.  
Bird and Roaf, JJ., would grant. Brief due within thirty  
days (December 9, 2005).

10/14/2005 Record Lodged  
Number of Volumes 2  
Number of Sets 0

10/14/2005 Briefing Commenced - Estate of Indianna Barnes  
This event was tickled for 11/23/05

10/14/2005 Briefing Commenced - Wilma Lee  
This event was tickled for 11/23/05  
Appellant's Attorney - Charles Phillip Boyd Jr

**Date Filed:**

Friday, October 14, 2005

**Caption:**

WILMA LEE

ESTATE OF INDIANNA BARNES

V

MARK MARTINDALE, M.D.

GORDON SCHALLY, M.D.

RADIOLOGY ASSOCIATES, P.A.

---

**Source URL:** <https://courts.arkansas.gov/content/ca-05-1128-1>