

ARKANSAS COURT OF APPEALS

DIVISION II
No. CA10-1072

DEBORAH DUNCAN

APPELLANT

V.

CARELINK and RISK MANAGEMENT
RESOURCES

APPELLEES

Opinion Delivered May 4, 2011

APPEAL FROM THE ARKANSAS
WORKERS' COMPENSATION
COMMISSION
[No. F906639]

REBRIEFING ORDERED

LARRY D. VAUGHT, Chief Judge

Deborah Duncan appeals the Workers' Compensation Commission's decision finding that she failed to prove by a preponderance of the evidence that she suffered compensable injuries to her knees. Duncan claims that she suffered injuries to her neck, face, and knees on June 1, 2009, when she was "the victim of criminal assault." We cannot reach the merits of her appeal because her abstract, brief, and addendum are deficient.

Duncan's brief fails to comply with most of the briefing requirements set forth in Rule 4-2(a) of the Rules of the Supreme Court. Her brief does not include a jurisdictional statement, point(s) on appeal, a table of authorities, or a statement of the case as required in Rule 4-2(a)(2), (3), (4), and (6). An informational statement and a table of contents are included but are incomplete, a violation of Rule 4-2(a)(1) and (2). Duncan's brief also fails to

comply with Rule 4-2(a)(5) because it does not include an abstract of the hearing held before the administrative law judge. Duncan's argument is more accurately described as a letter to the "Supreme Court of Appeals" that does not contain a standard of review or cite to legal authority as required by Rule 4-2(a)(7). Finally, Duncan's addendum is deficient as well. While there are a few documents¹ attached to the end of her brief, neither the ALJ and Commission decisions nor the notices of appeal from those decisions are included. Our rules clearly state that the addendum shall contain documents in the record on appeal that are essential for the appellate court to confirm its jurisdiction, to understand the case, and to decide the issues on appeal. Ark. Sup. Ct. R. 4-2(a)(8).

Because of these deficiencies, we hereby order rebriefing and direct Duncan to file a substituted brief that complies with our rules. Ark. Sup. Ct. R. 4-2(b)(3) (2010) (allowing parties who file a deficient brief an opportunity to file a conforming brief). The substituted brief, abstract, and addendum shall be due fifteen days from the date of this order. After service of the substituted abstract, brief, and addendum, the appellee shall have an opportunity to revise or supplement its brief in the time prescribed by the court.

We remind Duncan that appellants, even those who proceed pro se, are responsible for following the rules of appellate procedure, and pro se litigants are held to the same standards as attorneys. *Perry v. State*, 287 Ark. 384, 699 S.W.2d 739 (1985); *Walker v. State*, 283 Ark. 339, 676 S.W.2d 460 (1984). Therefore, Duncan should carefully review the rules

¹These documents include a few workers'-compensation forms and several medical records.

Cite as 2011 Ark. App. 320

to ensure that her substituted brief is compliant and without other deficiencies, regardless of whether they are listed above. If Duncan fails to file a compliant brief within fifteen days, the decision of the Commission will be summarily affirmed for noncompliance with our rules. Ark. Sup. Ct. R. 4-2(c)(2).

Rebriefing ordered.

GLADWIN and HOOFFMAN, JJ., agree.