

CONSTITUTION STATE INSURANCE COMPANY
v. Anna B. Shipp PASSMORE

CA 86-173 713 S.W.2d 255

Court of Appeals of Arkansas
Opinion delivered August 13, 1986

PARTIES — SUBSTITUTION — A.R.C.P. RULE 25 APPLIES TO SUBSTITUTION AT THE TRIAL COURT LEVEL, NOT THE APPELLATE LEVEL. — A.R.C.P. Rule 25 applies to substitutions of parties at the trial court level and not at the appellate court level.

Motion for Substitution of Parties; denied.

Beverly Rowlett, for appellant.

Eddie Morgan, for appellee.

PER CURIAM. The appellee has filed a motion indicating the death of the appellee and asking that an appropriate order be entered to substitute the personal representative of the appellee's estate, if any, or, if none has been appointed, to appoint an undesignated person as a special administrator to be substituted for and as the appellee in this case, pursuant to A.R.C.P. 25.

[1] Rule 25 being directed towards substitution at the trial court level, *see Reporter's Notes to Rule 25*, the motion is denied without prejudice to the appellant's proceeding in keeping with Ark. Stat. Ann. Section 27-2132 (Repl. 1979), Ark. Stat. Ann. Section 62-2210 (Repl. 1971), or any other appropriate statute or rule.

Motion denied.
