

ARKANSAS COURT OF APPEALS

DIVISION II

No. CA10-945

BARRY J. JEWELL

APPELLANT

V.

DEBRA DUREE-JEWELL

APPELLEE

Opinion Delivered AUGUST 31, 2011

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT,
SEVENTEENTH DIVISION
[NO. DR-94-6892]

HONORABLE MACKIE M. PIERCE,
JUDGE

REMANDED TO SETTLE AND
SUPPLEMENT THE RECORD

ROBIN F. WYNNE, Judge

Appellant Barry Jewell appeals from the circuit court's denial of his motion to terminate or decrease his child support obligation due to his incarceration in federal prison. We previously ordered rebriefing of this matter because Mr. Jewell's brief did not include a copy of the original child-support order he sought to modify. *Jewell v. Duree-Jewell*, 2011 Ark. App. 212. Mr. Jewell's substituted brief and addendum includes the divorce decree that established the support obligation. However, the decree is not contained in the record. Therefore, we remand this case to settle and supplement the record.

Arkansas Supreme Court Rule 4-2(a)(8) (2011) requires an appellant to submit a brief including an addendum containing true and legible copies of the non-transcript documents in the record on appeal that are essential for the appellate court to confirm its jurisdiction, understand the case, and decide the issues on appeal. The addendum shall not contain any

document or material that is not in the record, Ark. Sup. Ct. R. 4-2(a)(8) (2011), and we will not consider a document in an appellant's addendum that is not contained in the record. *Union Pac. R.R. Co. v. Barber*, 356 Ark. 268, 308, 149 S.W.3d 325, 351 (2004). Bringing forward a sufficient record to allow determination of the issues is the responsibility of the appellant. *Barnett v. Monumental Gen. Ins. Co.*, 354 Ark. 692, 694-95, 128 S.W.3d 803, 805 (2003); *see also* Ark. R. App. P.-Civ. 7 (2011).

Arkansas Rule of Appellate Procedure-Civil 6(e) (2011) states that, if anything material to either party is omitted from the record, the appellate court may, on its own initiative, direct that the omission be corrected and that a supplemental record be certified and transmitted. We have previously held that the order from which Mr. Jewell's motion to modify child support stems is essential to our understanding of the case. *Jewell v. Duree-Jewell*, 2011 Ark. App. 212, at 2. Because that order is not contained in the record brought forward by Mr. Jewell, we remand this case to settle and supplement the record. Mr. Jewell has thirty days from the date of this opinion to file a supplemental record that includes the divorce decree and any other order setting the amount of child support in this case. We encourage Mr. Jewell to review the rules of appellate procedure before resubmitting his brief.

Remanded to settle and supplement the record.

MARTIN and HOOFFMAN, JJ., agree.