

ARKANSAS COURT OF APPEALS

DIVISION I
No. CACR11-350

WILLIE MCDANIELS

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered NOVEMBER 16, 2011

APPEAL FROM THE PULASKI COUNTY
CIRCUIT COURT, FOURTH DIVISION
[NO. CR 2009-187]

HONORABLE HERBERT WRIGHT,
JUDGE

SUPPLEMENTAL ABSTRACT AND
ADDENDUM ORDERED

ROBIN F. WYNNE, Judge

This is an appeal from a Pulaski County jury trial finding Willie McDaniels guilty of two counts of rape. The issues on appeal are (1) whether there is substantial evidence to show that appellant was the victim's guardian and (2) whether the trial court erred by submitting a certain instruction to the jury. Because the abstract is not in compliance with Arkansas Supreme Court Rule 4-2(a)(5) and the addendum is not in compliance with Arkansas Supreme Court Rule 4-2(a)(8)(A)(i), we order appellant to file a supplemental abstract and addendum.

Rule 4-2(a)(5) requires an appellant to create an abstract of the material parts of all the transcripts in the record. In his brief, appellant challenges the sufficiency of the evidence to support his conviction on one of the counts of rape. However, he has failed to abstract the directed-verdict motions made at trial.



Cite as 2011 Ark. App. 702

Rule 4-2(a)(8)(A)(i) requires that in a case where there was a jury trial, the jury's verdict forms be included in the addendum. Appellant has failed to include the jury's verdict forms in his addendum. Because appellant has failed to comply with Rules 4-2(a)(5) and 4-2(a)(8)(A)(i), we direct him to correct the deficiencies in his brief by filing a supplemental abstract and addendum within seven calendar days from the date of this opinion. Ark. Sup. Ct. R. 4-2(b)(4). We strongly encourage appellate counsel, prior to filing the supplemental abstract and addendum, to review our rules as well as the abstract and addendum to ensure that no additional deficiencies are present.

Supplemental addendum and abstract ordered.

ABRAMSON and BROWN, JJ., agree.