

# ARKANSAS COURT OF APPEALS

DIVISION I  
No. CACR11-341

DANIEL LEWIS

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

**Opinion Delivered** November 30, 2011

APPEAL FROM THE PULASKI  
COUNTY CIRCUIT COURT,  
FOURTH DIVISION  
[NO. CR-2009-963]

HONORABLE HERBERT WRIGHT,  
JUDGE

REBRIEFING ORDERED

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**ROBIN F. WYNNE, Judge**

Appellant Daniel Lewis appeals from his convictions for aggravated robbery and theft of property. Because appellant has submitted a brief without a proper addendum in violation of Arkansas Supreme Court Rule 4-2 (2011), we order rebriefing.

Arkansas Supreme Court Rule 4-2(a)(8) requires an appellant to submit a brief including an addendum which contains “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, to understand the case, and to decide the issues on appeal.” In a case where there was a jury trial, this includes the jury-verdict forms for each issue. Ark. Sup. Ct. R. 4-2(a)(8)(A)(i). When an appellant submits an insufficient addendum such that the court cannot reach the merits of the case, the appellate court will notify the appellant that he or she will be



afforded fifteen days in which to cure the deficiencies and file a substituted abstract, brief, and addendum at his or her own expense. Ark. Sup. Ct. R. 4-2(b)(3).

Part of appellant's argument on appeal is that his confession should have been suppressed because it was not given voluntarily. The record contains a copy of appellant's signed *Miranda*-rights-waiver form, as well as a CD and transcript of his taped confession. However, these documents are not contained in the addendum. Furthermore, the jury-verdict forms are not included in the addendum. Because the exhibits regarding his confession are directly related to an issue on appeal, they are essential to the court's understanding of the case, and their omission requires rebriefing within fifteen days of the date of this opinion. We encourage counsel to review our procedural rules prior to refileing appellant's brief.

Rebriefing ordered.

ABRAMSON and BROWN, JJ., agree.