

ARKANSAS COURT OF APPEALS

DIVISION II
No. CA11-343

PARTNE A. DAUGHERTY
APPELLANT

V.

GARY SIPES, as Jacksonville Police Chief,
and JACKSONVILLE POLICE
DEPARTMENT

APPELLEES

Opinion Delivered JANUARY 4, 2012

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT,
FIFTH DIVISION [NO. 60CV2010-4802]

HONORABLE ERNEST SANDERS, JR.,
JUDGE

REBRIEFING ORDERED

ROBIN F. WYNNE, Judge

Partne A. Daugherty, acting pro se, appeals from an order of the Pulaski County Circuit Court denying her Freedom of Information Act complaint against Gary Sipes, in his capacity as Jacksonville Police Chief, and the Jacksonville Police Department. In her brief, appellant raises several allegations of error. Due to deficiencies in her brief, we are unable to reach the merits of the appeal and order rebriefing.

Appellant lodged the record in this appeal with our clerk's office on April 4, 2011. On April 26, 2011, appellant filed a motion to supplement the record in which she sought to have added to the record on appeal proof of service on the Jacksonville Police Department. This court denied that motion on May 18, 2011. Despite this court's decision on the motion, appellant included the proof of service in the addendum to her brief, which was filed on July 27, 2011. Appellant also included in her addendum several pages of the transcript from



Cite as 2012 Ark. App. 12

another case that were not part of the record on appeal in this case. An addendum may not contain any document or material that is not in the record. Ark. Sup. Ct. R. 4-3(a)(8) (2011).

There are also issues with other parts of appellant's brief. Appellant's abstract contains portions of a hearing that is not part of the record in this case. In addition, appellant's statement of the case discusses mainly the facts of a different case and contains argumentative statements, in violation of Arkansas Supreme Court Rule 4-2(a)(6). While we have attempted to assist appellant in identifying certain deficiencies in her brief, we stress that appellant should not consider the contents of this opinion to be a definitive list of the deficiencies in her brief. We highly recommend that appellant review the contents of Arkansas Supreme Court Rule 4-2 prior to submitting a substitute brief.

Appellant is hereby ordered to file a substitute brief that complies with Rule 4-2 within fifteen days of the date of this opinion. Failure to file a complying brief within that time may result in the judgment being affirmed for noncompliance with the rule. Ark. Sup. Ct. R. 4-2(b)(3) (2011).

Rebriefing ordered.

PITTMAN and MARTIN, JJ., agree.