

# ARKANSAS COURT OF APPEALS

DIVISION IV

No. CA11-886

CLIFFORD MARSHALL DAVIS  
APPELLANT

V.

ANDREA DENISE DAVIS  
APPELLEE

Opinion Delivered April 18, 2012

APPEAL FROM THE FULTON  
COUNTY CIRCUIT COURT  
[NO. DR-09-63-4]

HONORABLE TIM WEAVER,  
JUDGE

REBRIEFING ORDERED

---

---

**RITA W. GRUBER, Judge**

In this divorce case, Marsh Davis appeals from the circuit court's rulings concerning the marital debts and the sale of the parties' pharmacy to appellee Andrea Davis. Because appellant has omitted many essential pleadings and orders from the addendum, we are unable to reach the merits of his arguments and must order rebriefing. *See Beck v. Inter City Transp., Inc.*, 2012 Ark. App. 147; Ark. Sup. Ct. R. 4-2(b)(4) (2011).

In August 2010, the circuit court granted a divorce to appellant; approved the parties' agreement concerning the pharmacy; and directed that all other property would be sold at auction. Over the next several months, three banks asserted interests in the marital property; the property was sold at auction; and, after hiring new counsel, appellant filed numerous motions challenging the court's previous orders and appellee's actions regarding the pharmacy. On appeal, appellant challenges the circuit court's rulings concerning the pharmacy and the marital debts. With the flagrantly deficient addendum provided by appellant, it is not possible



for us to confirm this court's jurisdiction, understand the case, or decide the issues on appeal, as required by Arkansas Supreme Court Rule 4-2(a)(8) (2011). Appellant has failed to include many necessary pleadings and orders in the addendum that we will not enumerate them. By way of example only, we note that he omitted a bank's motion to intervene, complaint, and default judgment (Record at 62, 69, 312); two banks' cross-complaints (Record at 24, 193); some of his motions (Record at 365, 367); and orders distributing proceeds of the sales (Record at 330, 537, 617). We emphasize that this list is not exhaustive and that appellant carries the burden of providing an adequate addendum. We strongly encourage him, prior to filing the supplemental addendum, to carefully review the record and the rules regarding the contents of the addendum to ensure that it is in compliance with those rules.

Appellant shall file, within seven calendar days from this order, a supplemental addendum that includes all of the necessary pleadings and orders in compliance with Rule 4-2(a)(8). *See In re 4-2(b) of the Rules of the Supreme Court and Court of Appeals*, 2011 Ark. 141 (per curiam). If appellant fails to file a compliant supplemental addendum within the prescribed time, the judgment appealed from may be affirmed for noncompliance with our rules.

Rebriefing ordered.

HART and GLOVER, JJ., agree.

*Scott Emerson, P.A.*, by: *Scott Emerson*, for appellant.

*Blair & Stroud*, by: *Michelle C. Huff* and *Barrett S. Moore*, for appellee.