

ARKANSAS COURT OF APPEALS

DIVISION I
No. CA11-1174

ARLANDS, LLC

APPELLANT

V.

MPC COLOR, INC.

APPELLEE

Opinion Delivered May 30, 2012

APPEAL FROM THE CRAIGHEAD
COUNTY CIRCUIT COURT,
WESTERN DISTRICT
[NO. CV-2010-548]

HONORABLE RANDY F.
PHILHOURS, JUDGE

REMANDED TO SETTLE THE
RECORD

JOHN MAUZY PITTMAN, Judge

This is an appeal from a purported order granting appellee’s motion for a directed verdict as to the unlawful-detainer action brought by appellant. We cannot address this issue because no such order appears in the record. Instead, the only order in the record that was filed on the date referenced in appellant’s notice of appeal is an order (1) denying a motion for reconsideration of the missing order and (2) deciding the issues in a different case.

Nevertheless, the record indicates that an order granting the directed verdict was contemplated by all parties. The trial judge, ruling on the directed-verdict motion from the bench at trial, directed appellee’s attorney to prepare an order regarding the court’s ruling on the directed verdict. Because it appears that such an order may exist and may have been omitted from the record by error or accident, we remand this case to the circuit court to settle



Cite as 2012 Ark. App. 366

the record within thirty days, *see* Ark. R. Civ. P. 6(e), to be followed by appellant's filing of a supplemental addendum, if necessary, within fifteen days thereafter.

Remanded to settle the record.

HART and WYNNE, JJ., agree.

Hurley & Whitwell, PLLC, by: *Stephen E. Whitwell*, for appellant.

Stanley Law Firm, by: *Bill Stanley*, for appellee.