

ARKANSAS COURT OF APPEALS

DIVISION IV

No. CA12-194

BETTY BOYKIN

APPELLANT

V.

CROCKETT ADJUSTMENT
INSURANCE and CENTRAL
MOLONEY

APPELLEES

Opinion Delivered December 5, 2012

APPEAL FROM THE ARKANSAS
WORKERS' COMPENSATION
COMMISSION
[NOS. F606715, F603787]

REBRIEFING ORDERED

ROBIN F. WYNNE, Judge

Betty Boykin has filed a pro se appeal from the Arkansas Workers' Compensation Commission's opinion finding that she failed to prove that she sustained any permanent anatomical impairment as a result of her compensable injuries. Because of substantial deficiencies in appellant's brief, we must order rebriefing.

First, the abstract is entirely in question-and-answer format. Arkansas Supreme Court Rule 4-2(a)(5)(B) (2012) provides that the question-and-answer format shall not be used in the abstract. In abstracting testimony, the first person ("I") rather than the third person ("He or She") shall be used.

Next, we turn to appellant's statement of the case. Rule 4-2(a)(6) requires a concise statement of the case without argument. The statement of the case should be sufficient to enable the court to understand the nature of the case, the general fact situation, and the action taken below. Here, the statement of the case impermissibly contains argument.

In addition, appellant's argument section makes reference in several places to the record, not to the abstract or addendum as required by Rule 4-2(a)(7). We further note that appellant should ensure that the briefs contain the same material, as the argument section of at least one copy of appellant's brief was omitted entirely.

It is well settled that a pro se appellant must abide by the same rules and standards as a licensed attorney. *Hooker v. Farm Plan Corp.*, 331 Ark. 418, 962 S.W.2d 353 (1998). We strongly encourage appellant to review the rules and to ensure that no other deficiencies are present. A model appellant's brief is available for review on the judiciary website.¹ Appellant has fifteen days from the date of this opinion to file a substituted brief that complies with the rules. See Ark. Sup. Ct. R. 4-2(b)(3). Failure to timely correct the deficiencies in the appellant's brief may result in the opinion of the Commission being affirmed for noncompliance with the Rule. See Ark. Sup. Ct. R. 4-2(c)(2). After service of appellant's substituted brief, appellees shall have the opportunity to revise or supplement their brief.

Rebriefing ordered.

PITTMAN and HOOFFMAN, JJ., agree.

Betty Boykin, pro se appellant.

Bridges, Young, Matthews & Drake, PLC, by: *Michael J. Dennis*, for appellees.

¹<http://courts.arkansas.gov/aoc/forms.cfm>