

## ARKANSAS COURT OF APPEALS

DIVISION I  
No. CR-12-782

TYRONE JAMES CAMPBELL

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered December 18, 2013

APPEAL FROM THE SEBASTIAN  
COUNTY CIRCUIT COURT,  
FORT SMITH DISTRICT  
[NO. CR-2011-685]HONORABLE J. MICHAEL  
FITZHUGH, JUDGE

REBRIEFING ORDERED

**PHILLIP T. WHITEAKER, Judge**

Tyrone James Campbell appeals from his Sebastian County first-degree terroristic-threatening conviction, alleging numerous errors were committed at trial and during jury deliberations. We do not reach the merits of Campbell's arguments, however, because we must order rebriefing to correct abstracting deficiencies. See *Robison v. State*, 2013 Ark. App. 262.

In his abstract of trial testimony, Campbell has included a significant amount of testimony in question-and-answer format, rather than a condensed summary of such testimony as is required by our rules. Arkansas Supreme Court Rule 4-2(a)(5)(B) clearly states that "[t]he question-and-answer format shall not be used." Campbell's abstract violates this provision.

Campbell 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). We strongly encourage Campbell's counsel to review the rules and to ensure that no other deficiencies are present prior to filing the substituted brief. Failure to timely correct the deficiencies in the appellant's brief may result in the judgment of the circuit court being affirmed for noncompliance with the rule. *See* Ark. Sup. Ct. R. 4-2(c)(2). After service of appellant's substituted brief, appellee shall have the opportunity to revise or supplement its brief in the time prescribed by the clerk, or to rely on the brief that it previously filed in this appeal.

Rebriefing ordered.

GLADWIN, C.J., and PITTMAN, J., agree.

*Mosemarie Dora Boyd*, for appellant.

*Dustin McDaniel*, Att'y Gen., by: *Laura Shue*, Ass't Att'y Gen., for appellee.