

# ARKANSAS COURT OF APPEALS

DIVISION I  
No. CR-13-714

THOMAS OLIVER  
MURCHISON III

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered February 12, 2014

APPEAL FROM THE GARLAND  
COUNTY CIRCUIT COURT  
[NO. CR2012-245-IV]

HONORABLE MARCIA R.  
HEARNSBERGER, JUDGE

SUPPLEMENTAL ADDENDUM  
ORDERED

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**BILL H. WALMSLEY, Judge**

Appellant Thomas Oliver Murchison, III, was convicted of driving while intoxicated, first offense, by the Hot Springs District Court. Murchison appealed to the Garland County Circuit Court and filed a motion to suppress evidence of his intoxication, arguing that an illegal traffic stop occurred. The trial court denied the motion, and Murchison entered a conditional plea of no contest. On appeal to this court, Murchison argues that the trial court erred in denying his motion to suppress because there was no probable cause to stop his vehicle. We cannot, however, reach the merits of Murchison's arguments at this time due to a briefing deficiency.

Murchison was stopped by a state trooper on March 20, 2011, based on the trooper's observation of several alleged traffic violations. The trooper's patrol car had a dash-camera video recording from the trooper's perspective as he followed Murchison's vehicle. Although

it is referenced in the argument section of his brief, Murchison failed to include a copy of the video in his addendum. Among other arguments, Murchison contends that no other vehicles were affected by his failure to use a turn signal; that the video did not capture his crossing the fog line; and that the trooper's adjustment of the angle of the camera shortly after the stop for a wider field of vision proves that the stop was a pretext to perform field-sobriety tests.

The DVD was an exhibit offered by the State that is essential for this court to understand the case and decide the issues on appeal. Ark. Sup. Ct. R. 4-2(a)(8) (2013). Therefore, Murchison has seven calendar days from the date of this opinion to supplement his addendum with the DVD of the traffic stop. Ark. Sup. Ct. R. 4-2(b)(4).

Supplemental addendum ordered.

PITTMAN and HIXSON, JJ., agree.

*Chisenhall, Nestrud & Julian, P.A.*, by: *Jim Julian*; and *Brent A. Miller*, for appellant.

*Dustin McDaniel*, Att'y Gen., by: *Lauren Elizabeth Heil*, Ass't Att'y Gen., for appellee.