

ARKANSAS COURT OF APPEALS

DIVISION I
No. CV-13-746

RISIE RENE HOWARD ET AL.
APPELLANTS

V.

C & L USED CAR LOT and CITY OF
PINE BLUFF

APPELLEES

Opinion Delivered May 28, 2014

APPEAL FROM THE JEFFERSON
COUNTY CIRCUIT COURT
[No. CV-2013-90-2]

HONORABLE ROBERT H. WYATT,
JR., JUDGE

AFFIRMED

LARRY D. VAUGHT, Judge

This is the second one-brief appeal filed by pro se appellant Risie Howard (joined by other Pine Bluff, Arkansas, residents), appealing an order of the Jefferson County Circuit Court dismissing (with prejudice) her request for a permanent injunction against appellee C & L Used Car Lot and the City of Pine Bluff. We returned the first appeal for rebriefing pursuant to Ark. Sup. Ct. R. 4-2(b)(3), which was modified by *In re Modification of the Abstracting System*, 345 Ark. App'x 626 (2001) (requiring us to first allow rebriefing before summarily affirming).

In *Howard v. C & L Used Car Lot*, 2014 Ark. App. 109, we afforded Howard an opportunity to cure the deficiencies in her first brief and gave her fifteen days to file a substituted abstract, addendum, and brief at her own expense, which would conform to the requirements of Rule 4-2(a)(5) and (8). However, we once again find Howard's abstract and addendum to be deficient such that we cannot reach the merits of the case. Specifically, she has failed to reference essential proceedings and testimony in either the abstract or the addendum

of the brief she filed with our court. Howard failed to abstract several pages of the court's questioning of an essential witness. Because these essential components of the record are not included in Howard's second attempt at appeal in either the abstract or the addendum, despite being specifically directed to the deficiencies in our prior opinion, we affirm the lower court's ruling for noncompliance with Ark. Sup. Ct. R. 4-2 (2013), which specifically permits that "[i]f after the opportunity to cure the deficiencies, the appellant fails to file a complying abstract, addendum and brief within the prescribed time, the judgment or decree may be affirmed for noncompliance with the rule."

Affirmed.

GLADWIN, C.J., and BROWN, J., agree.

George Howard, Jr. Legal Center, by: *Risie Howard*, for appellant.

No response.