

ARKANSAS COURT OF APPEALS

DIVISION I
No. E-14-718

RENEE ABBOTT

APPELLANT

V.

DIRECTOR, DEPARTMENT OF
WORKFORCE SERVICES, and JB
HUNT TRANSPORT, INC.

APPELLEES

Opinion Delivered April 8, 2015

APPEAL FROM THE ARKANSAS
BOARD OF REVIEW
[NO. 2014-BR-01920]

REMANDED

BART F. VIRDEN, Judge

Renee Abbott appeals the Arkansas Board of Review decision to deny her unemployment benefits. The issue is whether Ms. Abbott engaged in misconduct when she allegedly failed to text-message, or otherwise notify her employer, that she would not be in to work; however, we are not able to address the issue on the merits at this time because of a question of the record's accuracy is presented for our review. The case is remanded with the instruction that the record be clarified and, if necessary, corrected.

After a thorough review of the record, it appears that there is a discrepancy that cannot be overlooked. Specifically, the copy of policies and procedures provided by JB Hunt appear to be for a company named "Vons." The record offers no explanation for the inclusion of the policy manual for "Vons" and not JB Hunt.

Deficiencies in the record on appeal must be addressed if they hinder our review of the merits. In the event of a material omission or misstatement, we may sua sponte direct the record to be settled. Ark. R. App. P.–Civ. 6(e); *see also Heard v. Regions Bank*, 369 Ark. 274, 276–77, 253 S.W.3d 422, 424 (2007) (per curiam). We therefore remand to the Board of Review with instructions to ascertain if a mistake has been made and, if so, to provide notice to the parties and correct the record accordingly.

Remanded.

HARRISON and HIXSON, JJ., agree.

Renee Abbott, pro se appellant.

Phyllis Edwards, Associate General Counsel, for appellee.