

ARKANSAS COURT OF APPEALS

DIVISION I
No. CACR10-845

DAVID TED GREEN

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered MARCH 30, 2011

APPEAL FROM THE FAULKNER
COUNTY CIRCUIT COURT
[NO. CR-2009-939]

HONORABLE DAVID L. REYNOLDS,
JUDGE

REBRIEFING ORDERED

ROBIN F. WYNNE, Judge

David Ted Green appeals from his conviction by a Faulkner County jury on charges of failing to register as a sex offender and registered offender living near a school, public park, youth center, or daycare. Appellant argues that there was insufficient evidence to support his conviction. We are unable to address appellant's argument due to flagrant deficiencies in his abstract. We order rebriefing.

The appellant shall create an abstract of the material parts of all the transcripts (stenographically reported material) in the record. Ark. Sup. Ct. R. 4-2(a)(5). Information in a transcript is material if the information is essential for the appellate court to confirm its jurisdiction, to understand the case, and to decide the issues on appeal. *Id.*

Appellant's abstract of the jury trial does not conform to Rule 4-2(a)(5). The abstract does not contain any of the evidence presented by the State. In addition, the portions of

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appellant's case that have been abstracted appear to be only those portions that support appellant's argument on appeal. The omitted portions of the trial testimony are essential for this court to decide the issues on appeal. Appellant has fifteen days from the date of this opinion to file a brief that is in compliance with our rules. After appellant's brief is filed, the State will have fifteen days to file a brief in response, if it so chooses.

Rebriefing ordered.

GLADWIN and GLOVER, JJ., agree.