

Cite as 2009 Ark. App. 708

## ARKANSAS COURT OF APPEALS

DIVISION III

No. CA08-624

JAMES HERRINGTON, ET AL.  
APPELLANTS

V.

FORD MOTOR CO., INC.  
APPELLEE

**Opinion Delivered** October 28, 2009

APPEAL FROM THE WASHINGTON  
COUNTY CIRCUIT COURT,  
[NO. CV04-1313-2]

HONORABLE KIM M. SMITH,  
JUDGE

REBRIEFING ORDERED

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### **M. MICHAEL KINARD, Judge**

This case arises from a 2003 roll-over accident involving a Ford van. The twelve appellants herein sued Ford, alleging that they, their decedents, or their minor children sustained injuries as the result of Ford's defective design and testing of the van. A jury found in favor of Ford, after which appellants filed a motion for a new trial. The circuit court denied the motion, and appellants appealed from that order. However, appellants did not include their motion for a new trial and supporting brief in their addendum. We must therefore order rebriefing prior to considering appellants' arguments on appeal.

An appellant's addendum must include relevant pleadings, documents, or exhibits essential to an understanding of the case and the court's jurisdiction on appeal. Ark. Sup. Ct. R. 4-2(a)(8). In this case, appellants' new-trial motion and supporting brief are essential to our

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understanding of the issues and arguments raised by the parties in their briefs. Appellants therefore have fifteen days from the date of this order in which to file a substituted brief with an addendum that contains their motion for a new trial and brief in support. *See* Ark. Sup. Ct. R. 4-2(b)(3). If appellants fail to file a brief with a complying addendum within the prescribed time, the judgment may be affirmed for noncompliance with Rule 4-2(a)(8). *Id.*

Rebriefing ordered.

ROBBINS and HENRY, JJ., agree.