ARKANSAS COURT OF APPEALS

DIVISION I
No. CACR09-872

GREGORY FORRESTER

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered MARCH 17, 2010

APPEAL FROM THE BENTON COUNTY CIRCUIT COURT
[CR2008-0789-1]

HONORABLE ROBIN FROMAN GREEN, JUDGE

REBRIEFING ORDERED

RITA W. GRUBER, Judge

Gregory Paul Forrester appeals his conviction for driving while intoxicated, second offense, contending that the circuit court erred in denying his motion to dismiss because his right to communicate with counsel was violated. We order rebriefing.

Forrester's brief does not comply with Rules 4–1 and 4–2 of the Rules of the Arkansas Supreme Court and Court of Appeals. The table of authorities fails to designate the page number of the brief on which the authority appears, a requirement of Rule 4–2(a)(4). An "abstracted" colloquy between defense counsel and the trial court is improperly reprinted instead of condensed, and the court's question that precipitated the colloquy is not abstracted at all. *See* Ark. Sup. Ct. R. 4–2(a)(5). Although other portions of the brief are double-spaced,

as is required by Rule 4–1(a), the argument portion is not.[1]

We direct counsel to cure these deficiencies by filing a substituted abstract, addendum, and brief within thirty days from the date of the entry of this order. *See* Rule 4–2(b)(3). The examples we have noted are not to be taken as an exhaustive list of deficiencies. Counsel should also review and follow the amendments to various appellate rules that went into effect on January 1, 2010. *See In re Ark. Sup. Ct. and Ct. of Appeals Rules 4-1, 4-2, 4-3, 4-4, 4-7, and 6-9*, 2009 Ark. 534 (per curiam).

MARSHALL and BAKER, JJ., agree.

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[1]We also note that the informational statement asserts no basis for supreme court jurisdiction, the jurisdictional statement and notice of appeal assert such a basis, and the second numbered paragraph of the jurisdictional statement lacks discussion of the issues listed in Ark. Sup. Ct. R. 1–2(b).