

Robert BLOUNT, Steve MENZIE, and Michael IVES v.
Thomas HUGHES, City Judge for Police Court in Beebe,
Arkansas

86-254

728 S.W.2d 519

Supreme Court of Arkansas
Opinion delivered May 11, 1987
[Rehearing denied June 8, 1987.*]

APPEAL & ERROR — FAILURE TO ABSTRACT — NO JUDICIAL NOTICE OF
MUNICIPAL ORDINANCES. — Since the supreme court does not take

*Hickman, J., not participating.

judicial notice of city ordinances, and since the ordinances are not abstracted as required, the case was affirmed pursuant to Sup. Ct. R. 9(e)(2).

Appeal from White Circuit Court, Second Division; *Cecil A. Tedder*, Judge; affirmed.

Paul Petty and *Robert Meurer*, for appellant.

Steve Clark, Att'y Gen., by: *Robert A. Ginnaven, III*, Asst. Att'y Gen., for appellee.

JOHN I. PURTLE, Justice. This case involves an appeal from the decision of the White County Circuit Court, rejecting the appellant's petition for mandamus. The petition sought to compel the transfer of criminal prosecutions from the Beebe Police Court to the Municipal Court of Searcy, Arkansas. The appellants objected to the jurisdiction of the Beebe Police Court, alleging that the Beebe city ordinances were invalid. They argued that since the ordinances of the city were invalid, that they were entitled to be tried in a municipal court in the same county.

[1] The appellants assert that the Beebe ordinances are invalid because they violate the provisions of Ark. Stat. Ann. § 22-725 (Repl. 1962), in that they contain more than one subject matter. It appears that portions of each ordinance are argued in the briefs of counsel; however, the ordinances are not abstracted. Since this Court does not take judicial notice of city ordinances, we are unable to determine whether the ordinances questioned herein are, in fact, invalid. Pursuant to Arkansas Supreme Court Rule 9(e)(2), we therefore affirm the decision of the circuit court.

Hickman, J., not participating.