

Jimmy David HEDGE and Gary Jones v. STATE of Arkansas
CR 94-70 877 S.W.2d 90

Supreme Court of Arkansas
Opinion delivered May 16, 1994

CERTIORARI, WRIT OF — WRIT ISSUED TO COURT REPORTER TO PRODUCE RECORD — DUE DILIGENCE REQUIRED IN FUTURE TO DETERMINE CONTENT OF RECORD AND MOVE TO SUPPLEMENT. — Where more than three months after the record was lodged and less than two weeks before appellants' briefs are due, counsel for appellants moved for the issue of a writ of certiorari to the court reporter to produce materials not in the record and identified only as "part of the trial proceedings," and for a stay of the briefing schedule, the motions were granted, but hereafter counsel will be expected to examine the record before, or immediately after, it is lodged in the appellate court to determine that nothing essential (and designated) is omitted, if so, to specifically identify the omitted material, and to exercise due diligence in moving to supplement the record.

Petitions for Writ of Certiorari granted.

Henry & Mooney, by: *Wayne Mooney*, for appellant.

No response.

PER CURIAM. The record was lodged in this appeal on January 21, 1994, and appellants' briefs were due on May 2, 1994. More than three months after the record was lodged and less than two weeks before appellants' briefs are due, counsel for appel-

lants move for the issue of a writ of certiorari to the court reporter to produce materials not in the record and identified only as "part of the trial proceedings." Appellants also ask for a stay of the briefing schedule.

[1] We grant the motions, at the same time pointing out that hereafter counsel will be expected to examine the record before, or immediately after, it is lodged in this court to determine that nothing essential (and designated) is omitted, if so, to specifically identify the omitted material, and to exercise due diligence in moving to supplement the record.

Writs of certiorari granted and briefing schedule stayed.
