

Wes BOOTH *v.* Suzanne P. BOOTH

02-165

71 S.W.3d 586

Supreme Court of Arkansas
Opinion delivered April 4, 2002

APPEAL & ERROR — PETITION FOR REVIEW DENIED — CASE REMANDED FOR CONSIDERATION OF ISSUE APPELLATE COURT FAILED TO ADDRESS. — Appellant's petition for review of an unpublished court of appeals opinion, affirming as modified the lower court's division of the property of the parties was denied; however, because both parties acknowledged that the court of appeals failed to address appellant's issue on appeal concerning whether he should be given a credit regarding a loan as to the parties' boat, motor, and trailer, the matter was remanded to the court of appeals so it could decide that issue.

Petition for review denied; remanded to court of appeals for limited further review.

Gary D. McDonald, for appellant.

Shackleford, Phillips, Wineland & Ratcliff, P.A., by: *Brian H. Ratcliff*, for appellee.

PER CURIAM. [1] Wes Booth petitions for review of an unpublished court of appeals opinion, affirming as modified the lower court's division of Wes and Suzanne P. Booth's property. We deny Mr. Booth's petition; however, we are obliged to note that both parties acknowledge that the court of appeals failed to address Mr. Booth's issue on appeal concerning whether he should be given a credit regarding a loan from First National Bank of El Dorado as to the parties' boat, motor, and trailer. Because this point for reversal was not mentioned or considered by the court of appeals, we remand this matter to the court so it may decide that issue.