

CITY of DOVER, Arkansas; Johnny Waldo, Mayor v.
CITY of RUSSELLVILLE, Arkansas

04-1112

213 S W3d 1

Supreme Court of Arkansas
Opinion delivered September 15, 2005

APPEAL & ERROR — ADDENDUM DEFICIENT — REBRIEFING ORDERED —
Where, in violation of Ark. Sup. Ct. R. 4-2(a)(8), the notice of appeal was not included in the Addendum submitted by appellant, pursuant to Ark. Sup. Ct. R. 4-2(b)(3), the supreme court found that the Addendum was deficient, and granted the appellant fifteen days from the date of the entry of this order within which to file an amended Addendum, it is a practical impossibility for seven justices to examine a single transcript filed with the court.

Appeal from Pope Circuit Court, *Dennis Charles Sutterfield*, Judge, rebriefing ordered.

Durham & Fought, P.A., by: *James Durham*, for appellants.

No response

PER CURIAM [1] The City of Dover appeals from a judgment entered June 29, 2004, “and from all orders entered prior to that date.” However, in violation of Ark. Sup. Ct. R. 4-2(a)(8), the notice of appeal is not included in the Addendum. Pursuant to Ark. Sup. Ct. R. 4-2(b)(3), this court finds that the Addendum is deficient, and the appellant is granted fifteen days from the date of the entry of this order within which to file an amended Addendum. It is a practical impossibility for seven justices to examine a single transcript filed with this court. *Villines v. Harris*, 361 Ark. 111, 204 S.W.3d 520 (2005) Further, this court may affirm the judgment under Ark. R. Sup. Ct. 4-2(b)(3) if an amended Addendum is not filed within the fifteen days