Ricky WALLACE v. WEST FRASER SOUTH, INC., and American Manufacturers Mutual Insurance Company

05-254

216 S.W.3d 117

Supreme Court of Arkansas Opinion delivered October 20, 2005

Appeal & error — Addendum insufficient — rebriefing ordered.

— Where the notice of appeal was not included in the Addendum, the Addendum was found insufficient pursuant to Ark. Sup. Ct. R. 4-2(b)(3), and the filing of an amended Addendum was ordered.

Appeal from the Arkansas Workers' Compensation Commission; rebriefing ordered.

Billy J. Hubbell and David C. Jones, for appellant.

Rieves, Rubens & Mayton, by: Kent J. Rubens, for appellee.

PER CURIAM. [1] Ricky Wallace appeals from an opinion rendered by the Workers' Compensation Commission on September 4, 2003. 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. Sup. Ct. R. 4-2(b)(3) if an amended Addendum is not filed within the fifteen days.