

SUPREME COURT OF ARKANSAS

No. CV-13-873

T. RICKS, LLC; RICK ADAMS; AND
THE RICK AND LANAN ADAMS
LIVING TRUST

APPELLANTS

V.

RICK KENT; BARBARA KENT; KKC,
INC.; MID-STATE INVESTMENTS,
LLC; AND MID-STATE SERVICE CO.,
INC.

APPELLEES

Opinion Delivered June 5, 2014

APPEAL FROM THE WHITE
COUNTY CIRCUIT COURT
[NO. CV-2011-668-3]

HONORABLE CRAIG HANNAH,
JUDGE

APPEAL DISMISSED.**JOSEPHINE LINKER HART, Associate Justice**

Appellants T.Ricks, LLC, Rick Adams, and the Rick and Lanan Adams Living Trust (Adams) have attempted to file an interlocutory appeal from an order of the White County Circuit Court denying their motion to remove Robert Hudgins from his court-appointed position of “Special Receiver.” However, because the transcript in this case was not timely filed, we dismiss this appeal.

Adams asserts that an interlocutory appeal of the order entered on August 21, 2013, denying his motion to remove the “Special Receiver” was proper pursuant to Rule 2(a)(7) of the Arkansas Rules of Appellate Procedure–Civil. However, Rule 5(a) of the Arkansas Rules of Appellate Procedure–Civil states that when “an appeal is taken from an interlocutory order under Rule 2(a)(6) or (7), the record must be filed with the clerk of the Supreme Court within thirty (30) days from the entry of such order.” Here the transcript

Cite as 2014 Ark. 269

was not filed until October 3, 2013. Accordingly, we cannot consider Adams's arguments on appeal. *U.S. Bank, N.A. v. Milburn*, 352 Ark. 144, 100 S.W.3d 674 (2003). Timely filing of a transcript is a jurisdictional question, and the failure to timely file deprives this court of authority to hear the appeal. *Palmer v. Evans*, 256 Ark. 917, 511 S.W.2d 157 (1974).

Appeal dismissed.

Special Justice LINDSEY J. FAIRLEY joins in this opinion.

HANNAH, C.J., not participating.

Cearly Law Firm, by: *Robert M. Cearly, Jr.*; *Hyden, Miron & Foster, PLLC*, by: *James W. Hyden*; and *Brian G. Brooks, Attorney at Law, PLLC*, by: *Brian G. Brooks*, for appellants.

Dover, Dixon, Horne, PLLC, by: *Thomas S. Stone* and *William C. Bird III*, for appellees.