

SUPREME COURT OF ARKANSAS

No. CV-15-789

MALIK MUNTAQIM

APPELLANT

V.

GAYLON R. LAY ET AL.

APPELLEES

Opinion Delivered May 12, 2016

PRO SE MOTION TO FILE
BELATED NON-CONFORMING
REPLY BRIEF [JEFFERSON COUNTY
CIRCUIT COURT, NO. 35CV-15-184]

HONORABLE JODI RAINES
DENNIS, JUDGE

MOTION DENIED; CONFORMING
REPLY BRIEF DUE SIXTY DAYS
FROM THE DATE OF THIS
OPINION.

PER CURIAM

Appellant Malik Muntaqim filed a pro se complaint in the Jefferson County Circuit Court alleging violation of his civil rights by a number of current and past state officers and employees who Muntaqim, an inmate incarcerated in the Arkansas Department of Correction (ADC), contends have wrongfully withheld religious materials from him in violation of his constitutional rights and the federal Religious Land Use and Institutionalized Persons Act, as codified at 42 United States Code Annotated section 2000cc-1-5 (RLUIPA). Muntaqim filed a motion for injunctive relief and summary judgment that the circuit court denied by order entered August 10, 2015. Muntaqim filed a motion requesting that the circuit court reconsider and amend the disposition, which was denied by a September 2, 2015 order. Muntaqim lodged an appeal of that order in this court, and he

has filed a motion in which he requests permission to file a noncompliant reply brief. We deny the motion.

Muntaqim tendered the reply brief that he would file, and, in his motion, he acknowledges that the argument portion is overlength and that he has included a supplemental addendum with documents that he wishes to include in support of his arguments on appeal. Muntaqim asserts that he requires the additional pages and the supplemental addendum so that he may address all issues and apprise the court of the current state of affairs. This additional argument and the documents that Muntaqim would include in the brief were not presented to the circuit court and are not included in the record. An appellate court does not consider matters outside the record. *Dep't of Career Educ., Div. of Rehab. Serv. v. Means*, 2013 Ark. 173, 426 S.W.3d 922.

We decline to accept the tendered brief. Muntaqim may submit a conforming reply brief that includes an argument portion within the fifteen-page limit, without a supplemental addendum containing materials outside of the record on appeal, and that addresses only those issues raised in the State's brief within sixty days of the date of this opinion.

Motion denied; conforming reply brief due sixty days from the date of this opinion.