

ARKANSAS COURT OF APPEALSDIVISION I
No. CV-13-834SAMANTHA VILLASALDO
APPELLANT

V.

ARKANSAS DEPARTMENT OF
HUMAN SERVICES
APPELLEE

Opinion Delivered April 30, 2014

APPEAL FROM THE SEBASTIAN
COUNTY CIRCUIT COURT,
FORT SMITH DISTRICT
[NO. JV-2011-261]HONORABLE ANNIE HENDRICKS,
JUDGE

REBRIEFING ORDERED

BILL H. WALMSLEY, Judge

Appellant Samantha Villasaldo appeals from the Sebastian County Circuit Court's termination of her parental rights to her son J.G. (DOB: 4-9-2010). Villasaldo argues that there was insufficient evidence to support the termination. We order rebriefing.

An abstract of the transcript of the hearing from which the order on appeal arose must consist of an impartial condensation of such material parts of the testimony of the witnesses and colloquies between the court and counsel and other parties as are necessary to an understanding of all questions presented to the court for decision. Ark. Sup. Ct. R. 6-9(e)(2)(C). A termination hearing was held on February 13, 2013. The record contains a hearing transcript comprising 113 pages, yet counsel has reduced that to only four pages of abstracted testimony. Quite a bit of information necessary for our review has been left out. We order rebriefing to supplement the abstract.

The addendum is also deficient. According to Ark. Sup. Ct. R. 6-9(e)(2)(E), the addendum shall include true and legible photocopies of the order, judgment, decree, ruling, or letter opinion from which the appeal is taken, a copy of the notice of appeal, and any other relevant pleadings, documents, or exhibits essential to an understanding of the case, which may include, but are not limited to, affidavits, petitions, case plan, court reports, court orders, or other exhibits entered into the record during the hearing from which the appeal arose, and all orders entered in the case prior to the order on appeal. The following documents were omitted from the addendum:

- (1) the affidavit of facts upon which the petition for emergency custody was based;
- (2) exhibits from the termination hearing, including the juvenile's medical records from Arkansas Children's Hospital, and those exhibits that pertain to Villasaldo, such as her psychological evaluation and the supplemental evaluation;
- (3) CASA reports;
- (4) DHS case plans; and
- (5) DHS court reports.

Counsel should supplement the addendum with these documents and any other relevant document in compliance with Rule 6-9(e)(2)(E).

Given these deficiencies, we do not reach the merits of the case at this time. Instead, we order rebriefing to supplement the abstract and addendum within fifteen days.

Rebriefing ordered.

WOOD and BROWN, JJ., agree.

H. Keith Morrison, for appellant.

Tabitha Baertels McNulty, DHS Office of Policy and Legal Services; and *Chrestman Group, PLLC*, by: *Keith Chrestman*, for appellees.