

Cite as 2009 Ark. App. 727

ARKANSAS COURT OF APPEALSDIVISION III
No. CA 08-1419

MARY ANN KIZER

APPELLANT

V.

DALE KIZER and SIMMONS FIRST
NATIONAL BANK

APPELLEES

Opinion Delivered NOVEMBER 4, 2009APPEAL FROM THE JEFFERSON
COUNTY CIRCUIT COURT,
[NO. DR-03-233-4]HONORABLE LEON N. JAMISON,
JUDGE

REBRIEFING ORDERED

JOHN B. ROBBINS, Judge

Appellant Mary Ann Kizer has taken an appeal from an August 7, 2008, order of the Jefferson County Circuit Court confirming the sale of marital property. The order, entered subsequent to Ms. Kizer's divorce from appellee Dale Kizer, confirmed the sale to appellee Simmons First National Bank for the sum of \$155,000.00. Among other things, Ms. Kizer argues that the trial court erroneously approved the sale at an unreasonable and unjust amount.

However, in violation of Ark. Sup. Ct. R. 4-2(a)(8), the notice of appeal from the August 7, 2008, order is not in appellant's addendum, nor is it contained in the supplemental addendum provided by Simmons First National Bank. Pursuant to Ark. Sup. Ct. R. 4-2(b)(3), this court finds that the addendum is insufficient, and the appellant is granted fifteen

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days from the date of the entry of this order within which to file an amended addendum and substituted brief. *See Fryar v. Touchstone Physical Therapy, Inc.*, 364 Ark. 517, 221 S.W.3d 372 (2006). Under Ark. Sup. Ct. R. 4-2(b)(3), this court may affirm the order if an amended addendum is not filed within fifteen days.

Rebriefing ordered.

KINARD and HENRY, JJ., agree.