

ARKANSAS COURT OF APPEALSDIVISION I
No. CACR11-14

DEREK LEE JACKSON

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered October 12, 2011APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT,
SECOND DIVISION
[NO. CR-09-840]HONORABLE CHRISTOPHER
CHARLES PIAZZA, JUDGEREMANDED FOR SUPPLEMENTAL
ADDENDUM**WAYMOND M. BROWN, Judge**

A Pulaski County jury found appellant Derek Lee Jackson guilty of the second-degree murder of Anthony Fogle. He was sentenced to thirty years' imprisonment with an additional fifteen years' enhancement for using a firearm in the commission of the murder. Jackson contends that the trial court erred by denying his motion to suppress when (1) his statement was the product of coercion and (2) the police violated his rights by improperly re-initiating contact with him after he had invoked his rights. He also argues that the trial court erred by denying his motion to dismiss on due-process grounds due to the city's failure to preserve evidence. We are unable to reach the merits of Jackson's arguments at this time due to deficiencies in his addendum.

Ark. Sup. Ct. R. 4-2(a)(8)¹ provides that jury-verdict forms are to be included in the addendum when there is a jury trial. The rule also states that all exhibits concerning the order, judgment, or ruling challenged on appeal should be included in the addendum. Here, Jackson has failed to provide the jury-verdict forms and the exhibits concerning the judgment on appeal, including, but not limited to: (1) the Miranda rights form, (2) the DVD recording introduced at the suppression hearing, (3) the recorded confession introduced at the jury trial, (4) the pictures of appellant's car that were identified by an eyewitness. Jackson has seven days to file a supplemental addendum.² We strongly encourage appellate counsel, prior to filing the supplemental addendum, to review our rules as well as the record and addenda to ensure that no additional deficiencies are present.

Remanded for supplementation of the addendum.

VAUGHT, C.J., and HOOFFMAN, J., agree.

¹(2011).

²Ark. Sup. Ct. R. 4-2(b)(4). See *In re 4-2(b)(4) of the Rules of the Supreme Court and Court of Appeals*, 2011 Ark. 141.