

ARKANSAS COURT OF APPEALS

DIVISION III
No. CACR12-1002

JASON D. ROBISON

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered April 17, 2013APPEAL FROM THE RANDOLPH
COUNTY CIRCUIT COURT
[NO. CR-09-154]HONORABLE HAROLD S. ERWIN,
JUDGE

REBRIEFING ORDERED

WAYMOND M. BROWN, Judge

Appellant appeals from the circuit court's revocation of his probation. Because appellant has submitted a brief without a proper abstract, in violation of Arkansas Supreme Court Rules 4-1¹ and 4-2,² we order rebriefing.

Under Rule 4-1(a), "[b]riefs shall be double-spaced, except for quoted material, which may be single-spaced and indented."³ We note that all of appellant's abstract was single spaced, in addition to other unique, non-paragraph formatting, and therefore did not comply with Rule 4-1(a).

¹(2012).

²(2012).

³*Wilkins & Associates, Inc. v. Vimy Ridge Mun. Water Imp. Dist.*, 372 Ark. 117, 118, 270 S.W.3d 869, 871 (2008); Ark. R. Sup. Ct. R. 4-1(a) (2012).

Arkansas Supreme Court Rule 4-2(a)(5)(B) states that “[t]he abstract shall be an impartial condensation, without comment or emphasis, of the transcript (stenographically reported material).”⁴ It goes on to state that “[t]he question-and-answer format shall not be used.”⁵ Appellant includes questions and answers in his abstract on multiple occasions rather than a condensed summary of the same, and therefore did not comply with Rule 4-2(a).

We order appellant to submit a substituted abstract correcting the above-referenced deficiencies. We encourage appellant to review Rule 4-1 and Rule 4-2 of the Rules of the Arkansas Supreme Court and Court of Appeals to ensure that the substituted abstract complies with the rules and that no additional deficiencies are present. After service of the substituted abstract, brief, and addendum, the State shall have an opportunity to revise or supplement its brief in the time prescribed by the clerk, or to rely on the brief that it previously filed in this appeal.

Rebriefing ordered.

HARRISON and GRUBER, JJ., agree.

Devon N. Holder, for appellant.

Dustin McDaniel, Att’y Gen., by: *Pamela A. Rumpz*, Ass’t Att’y Gen., for appellee.

⁴Ark. Sup. Ct. R. 4-2(a)(5)(B).

⁵*Id.*