

SUPREME COURT OF ARKANSAS

No. CV-14-12

BECKY FURNAS, Individually and as a Representative of all similarly situated Taxpayers who Pay Ad Valorem School Taxes for the Support of the Fountain Lake School District; FOUNTAIN LAKE SCHOOL DISTRICT; AL LARSON, individually and as a Representative of all similarly situated Taxpayers who Pay Ad Valorem School Taxes for the Support of the Eureka Springs School District; and EUREKA SPRINGS SCHOOL DISTRICT

APPELLANTS

V.

THOMAS W. KIMBRELL; Commissioner of the Arkansas Department of Education, in his official capacity only; ARKANSAS DEPARTMENT OF EDUCATION; CHARLES ROBINSON, Treasurer of the State of Arkansas, in his official capacity only

APPELLEES

Opinion Delivered December 11, 2014

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT
[NO. CV-2011-2321]

HONORABLE TIMOTHY DAVIS FOX,
JUDGE

SUPPLEMENTAL REBRIEFING
ORDERED

PER CURIAM

By previously issued per curiam opinion handed down on December 4, 2014, we ordered Appellants to supplement their brief with the prior orders and judgments that related to our opinion in *Kimbrell v. McCleskey*, 2012 Ark. 443, 424 S.W.3d 844. Upon further review, we have determined that the pleadings and motions from the prior appeal are essential to an understanding of the case in the current appeal. We therefore order appellants to supplement their addendum with copies of these documents in addition to the documents we

required in the December 4, 2014 per curiam. See Ark. Sup. Ct. R. 4-2(a)(8) (2014). Appellants' omission of these items from the addendum renders appellants' brief deficient, and we order rebriefing in this case pursuant to Rule 4-2(b)(3). Therefore, in accordance with Rule 4-2(c)(2), we give appellants fifteen days to submit a conforming brief by filing a supplemental addendum.

While we have noted the above-mentioned deficiency, we encourage Appellant's counsel to review Rule 4-2 in its entirety as it relates to the abstract and addendum, as well as the entire record, to ensure that no additional deficiencies are present, as any subsequent rebriefing order may result in affirmance of the order or judgment due to noncompliance with Rule 4-2. See Ark. Sup. Ct. R. 4-2(b)(3) (2011); see also *Kirkland v. Sandlin*, 2011 Ark. 106 (per curiam).

Rebriefing ordered.

Hatfield, Sayre & Brockett, by: *Eugene G. Sayre* and *Christopher D. Brockett*, for appellants.

Dustin McDaniel, Att'y Gen., by: *Scott P. Richardson*, Sr. Ass't Att'y Gen., for appellee.