

Cite as 2014 Ark. 501

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 4, 2014

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

HONORABLE TIMOTHY DAVIS FOX,
JUDGE

REBRIEFING ORDERED

PER CURIAM

Appellants have appealed from an order of the Pulaski County Circuit Court that was issued after prior orders had been appealed to the Arkansas Supreme Court and after the case was remanded pursuant to our decision in *Kimbrell v. McCleskey*, 2012 Ark. 443, 424 S.W.3d 844. However, appellants failed to include the orders or judgments from the prior appeal in their addendum. Because these missing orders and judgments are essential to an understanding of the case, we order appellants to supplement their addendum with copies of

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these documents. *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.