



ARKANSAS JUDICIARY

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## **Rule 1004. Admissibility Of Other Evidence Of Contents.**

The original is not required, and other evidence of the contents of a writing, recording, or photograph is admissible if:

- (1) Originals Lost or Destroyed. All originals are lost or have been destroyed, unless the proponent lost or destroyed them in bad faith;
- (2) Original Not Obtainable. No original can be obtained by any available judicial process or procedure;
- (3) Original in Possession of Opponent. At a time when an original was under the control of the party against whom offered, he was put on notice, by the pleadings or otherwise, that the contents would be a subject of proof at the hearing; and he does not produce the original at the hearing; or
- (4) Collateral Matters. The writing, recording or photograph is not closely related to a controlling issue.

### **Associated Court Rules:**

Arkansas Rules of Evidence

### **Group Title:**

Article X. Contents of Writings, Recordings, and Photographs

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