

ARKANSAS COURT OF APPEALS

DIVISION III
No. CACR10-631

BOBBY BROWN

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered APRIL 27, 2011

APPEAL FROM CLEBURNE
COUNTY CIRCUIT COURT
[NO. CR2009-47]

HONORABLE JOHN DAN KEMP,
JUDGE

AFFIRMED; MOTION GRANTED

RITA W. GRUBER, Judge

Appellant Bobby Brown was tried by a jury, was convicted of possession of methamphetamine, and was sentenced as a habitual offender to 132 months' imprisonment in the Arkansas Department of Correction. His no-merit appeal comes before us for a second time, and his counsel has again filed a motion to withdraw. We previously denied the motion and ordered rebriefing because of omissions in counsel's brief. *Brown v. State*, 2011 Ark. App. 25.

The omissions in counsel's earlier brief have been corrected. The brief now before us addresses all rulings by the trial court that were adverse to Brown: the denial of his motion for a directed verdict, the refusal to instruct the jury on an alternative sentence of probation, and the finding that Brown had the ability to assist in his defense and was competent to proceed to trial. From our review of the record and counsel's brief, we hold that the

Cite as 2011 Ark. App. 309

requirements of Arkansas Supreme Court Rule 4-3(k)(1) (2009) and *Anders v. California*, 386 U.S. 738 (1967), have been met and that the appeal has no merit. We therefore grant counsel's motion to withdraw and affirm the conviction.

Affirmed; motion granted.

HART and MARTIN, JJ., agree.