

Garry R. WILLIAMS v. STATE of Arkansas

CA CR 87-209

748 S.W.2d 355

Court of Appeals of Arkansas
Division I

Opinion delivered May 11, 1988
[Rehearing denied June 1, 1988.]

APPEAL & ERROR — MATTERS NOT RAISED BEFORE THE TRIAL COURT —
THE APPELLATE COURT DOES NOT REACH THE MERITS. — The court
of appeals does not consider matters which were not raised before
the trial court and did not reach the merits of the argument since it
was raised for the first time on appeal.

Appeal from Pulaski Circuit Court; *Floyd J. Lofton*, Judge;
affirmed.

John Wesley Hall, Jr., for appellant.

Steve Clark, Att'y Gen., by: *C. Kent Jolliff*, Asst. Att'y
Gen., for appellee.

BETH GLADDEN COULSON, Judge. Appellant, Garry Ray
Williams, brings this appeal from his conviction for rape. Appel-
lant waived his right to a jury trial and was tried before a circuit
judge, sitting without a jury. On appeal, appellant argues that his
conviction for rape is not supported by sufficient evidence. We do
not reach the merits of that argument because it is raised for the
first time on appeal.

[1] This court does not consider matters which were not raised before the trial court. *Dillard v. State*, 20 Ark. App. 35, 723 S.W.2d 373 (1987). This is a settled rule. Accordingly, we do not consider appellant's argument, and the judgment of the circuit court is affirmed.

Affirmed.

CORBIN, C.J., and MAYFIELD, J., agree.
