

ARKANSAS COURT OF APPEALS

DIVISION III

No. CACR09-1088

BOBBY RAY HATTON

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered September 14, 2011

APPEAL FROM PULASKI COUNTY
CIRCUIT COURT, FOURTH
DIVISION [NOS. CR-2004-2016; CR-
2007-267; AND CR-2008-3621]

HONORABLE HERBERT WRIGHT,
JUDGE

AFFIRMED; MOTION TO
WITHDRAW GRANTED

JOHN MAUZY PITTMAN, Judge

Appellant was convicted in case number CR-08-3621 of first-degree terroristic threatening and second-degree domestic battery in the presence of a child. Immediately after the trial for battery and terroristic threatening, a hearing was held on the State's petitions to revoke two of appellant's probations, in case numbers CR-04-2016 and CR-07-267. The trial court found that appellant violated the conditions of his probations by committing the offenses of which appellant had been convicted in CR-08-3621, and revoked both probations. Separate notices of appeal were filed in all three of the aforementioned trial court case numbers, which were consolidated for appeal under our case number CACR09-1088.¹

¹On February 2, 2011, we denied this attorney's prior motion to withdraw because he had not discussed appellant's probation revocations. We ordered rebriefing, and the omission has been corrected.



Cite as 2011 Ark. App. 517

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Rule 4-3(k) of the Rules of the Arkansas Supreme Court and Court of Appeals, appellant's attorney has filed a motion to withdraw as counsel on the ground that the appeal is wholly without merit. The motion is accompanied by an abstract, brief, and addendum referring to everything in the record that might arguably support the appeal, including all motions, objections, and requests decided adversely to appellant and a statement of reasons why none of those rulings would be a meritorious ground for reversal. The clerk of this court furnished appellant with a copy of his counsel's brief and notified him of his right to file a pro se statement of points for reversal within thirty days. Appellant has filed several of such statements, but all of his points are either adequately covered by counsel's brief, not preserved for appeal, or state no legal ground for reversal on appeal. The State filed a brief in which it concurs that there is no merit to the appeal.

From our review of the record and the briefs presented to us, we find compliance with Rule 4-3(k) and that the appeal is without merit. Accordingly, counsel's motion to withdraw is granted, and the orders appealed from are affirmed.

Affirmed; motion to withdraw granted.

GLADWIN and BROWN, JJ., agree.

Hancock, Lane & Barrett, by: *Jonathan T. Lane*, for appellant.

Dustin McDaniel, Att'y Gen., by: *Ashley Argo Priest*, Ass't Att'y Gen., for appellee.