

ARKANSAS COURT OF APPEALS

DIVISION II
No. CACR11-791

EDWARD VINCENT SMITH
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered March 28, 2012

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT, FIFTH
DIVISION
[NOS. CR-08-4909 & CR-10-536]

HONORABLE WENDELL GRIFFEN,
JUDGE

DISMISSED WITH INSTRUCTIONS

WAYMOND M. BROWN, Judge

The Pulaski County Circuit Court convicted appellant Edward Smith of residential burglary and theft of property in case number CR-08-4909. He was sentenced to 240 months' imprisonment. In case number CR-10-536, the Pulaski County Circuit Court convicted Smith of criminal attempt to commit capital murder, aggravated robbery, aggravated residential burglary, two counts of battery in the first degree, and theft of property. Smith was sentenced to an aggregate of 298 months' imprisonment. The sentences received in both cases were to run concurrently with each other. Smith argues on appeal that the evidence in case CR-08-4909 was insufficient to support his convictions. As to case CR-10-536, Smith argues that the evidence does not support his theft-of-property conviction. We do not reach the merits of Smith's arguments because he has attempted to bring a single appeal



for two unrelated cases.¹ Here, Smith stood trial for each case on separate dates, and the judgment and commitment orders for the convictions are separate, as well as Smith's notices of appeal. Additionally, Smith has not filed a motion to join or consolidate these two appeals before this court. Therefore, we dismiss this appeal with instructions to file separate briefs for each case.

Dismissed with instructions to file a separate brief for each case.

GLADWIN and GLOVER, JJ., agree.

Clint Miller and Don Thompson, Deputy Public Defenders, for appellant.

Dustin McDaniel, Att'y Gen., by: *Karen Virginia Wallace*, Ass't Att'y Gen., for appellee.

¹See Ark. R. App. P.–Crim. 1(a) (stating that only one appeal need be taken when a defendant has been found guilty of one or more charges at a single trial).