

ARKANSAS COURT OF APPEALS

DIVISION I
No. CACR12-404

MICHAEL DEWAYNE COPELAND
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered January 16, 2013

APPEAL FROM THE OUACHITA
COUNTY CIRCUIT COURT
[NO. CR-2010-63-3]

HONORABLE EDWIN KEATON,
JUDGE

MOTION TO WITHDRAW DENIED
WITHOUT PREJUDICE;
REBRIEFING ORDERED

JOHN MAUZY PITTMAN, Judge

Appellant was convicted of attempted first-degree murder and first-degree battery and was sentenced to two concurrent terms of thirty years' imprisonment. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Arkansas Supreme Court Rule 4-3(k), appellant's counsel has filed a motion to be relieved, stating that there is no merit to the appeal. The motion is accompanied by an abstract and addendum of the proceedings below, and a brief in which counsel asserts that there is nothing in the record that would support an appeal. The clerk of this court served 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 no statement.

From our review of the record and the brief presented to us, we find that the motion to withdraw must be denied because appellant's attorney has failed to provide us with an



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abstract and addendum that complies with the requirements of the Rules of the Arkansas Supreme Court and Court of Appeals. The abstract notes that a video recording of an interview with appellant conducted by Camden Police Department Lieutenant John Voss was played in open court. The text of that interview has not been abstracted, and no copy of the video disc containing the recording has been included in the addendum. *See generally* Ark. Sup. Ct. R. 4-2(a)(8)(A)(i). Pursuant to Rule 4-2(b)(3), we afford appellant an opportunity to cure the deficiencies. Counsel for appellant is directed to file a substituted abstract, brief, and addendum within fifteen days from the date of this opinion.

Motion to withdraw denied without prejudice; rebriefing ordered.

WYNNE and BROWN, JJ., agree.

Steven R. Davis, for appellant.

No response.