

ARKANSAS COURT OF APPEALS

DIVISION III
No. CACR12-849

JACQUES SLOCUM

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered May 8, 2013

APPEAL FROM THE PULASKI
COUNTY CIRCUIT COURT,
SECOND DIVISION
[NO. CR 11-4387]

HONORABLE CHRISTOPHER
CHARLES PIAZZA, JUDGE

AFFIRMED

RITA W. GRUBER, Judge

Jacques Slocum was tried before a jury on charges of first-degree murder and other felonies in the shooting death of Joe Jackson. Slocum was convicted of second-degree murder, on which the jury was instructed as a lesser-included offense; fleeing; and first-degree endangering the welfare of a minor.¹ He was sentenced to respective terms of imprisonment in the Arkansas Department of Correction for fifty years, twelve years, and twelve years, to be served consecutively; he also received enhanced sentences of ten years for committing the homicide in the presence of a child and fifteen years for employing a firearm in committing a felony.

¹A two-year-old child was in the back seat of Slocum's car when Slocum fired the fatal shots just outside the vehicle.



Slocum raises one point on appeal,² challenging the sufficiency of the evidence to support his conviction for second-degree murder. He argues that the evidence was insufficient to support a finding that he knowingly caused Jackson's death under circumstances manifesting extreme indifference to human life, which is a required element of second-degree murder. Ark. Code Ann. § 5-10-103(a)(1) (Repl. 2006). His argument is not preserved for our review.

Slocum argued in his motions for a directed verdict only that the State failed to prove that he "with the purpose to cause the death of Joe Jackson caused his death," an element only on his charge of first-degree murder. See Ark. Code Ann. § 5-10-102(a)(2). No arguments were made that the State failed to prove any elements of second-degree murder. See *Grillot v. State*, 353 Ark. 294, 304, 107 S.W.3d 136, 142 (2003) (observing that a challenge to the sufficiency of the evidence for a lesser-included offense is not preserved if the appellant's motion for directed verdict failed to address the lesser-included offense by name or to apprise the trial court of elements of the lesser-included offense). Because Slocum's directed-verdict motions did not challenge the sufficiency of evidence for second-degree murder, he did not preserve the issue for our review.

Affirmed.

HARRISON and BROWN, JJ., agree.

Latonya Laird Austin, for appellant.

Dustin McDaniel, Att'y Gen., by: *LeaAnn J. Adams*, Ass't Att'y Gen., for appellee.

²Today we grant the motion of appellant's counsel to appoint her to represent appellant for purposes of appeal due to the indigency of appellant.