

ARKANSAS COURT OF APPEALS

DIVISION I
No. CR-12-885

NICOLE LEIGH FOSTER
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered June 19, 2013

APPEAL FROM THE CRITTENDEN
COUNTY CIRCUIT COURT
[NO. CR-2002-200B]

HONORABLE JOHN N.
FOGLEMAN, JUDGE

AFFIRMED; MOTION TO
WITHDRAW GRANTED

JOHN MAUZY PITTMAN, Judge

Appellant entered a guilty plea to a felony charge of possession of a controlled substance. She was sentenced to a five-year term of imprisonment to be followed by the suspended imposition of sentence to an additional term. Subsequently, the State filed a petition to revoke appellant's suspension, alleging that she violated the conditions thereof by failure to pay fines and costs. After a hearing, she was found to have violated the conditions of her suspension and was sentenced to two years in the Arkansas Department of Correction.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Arkansas Supreme Court Rule 4-3(k),¹ 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, including all objections and motions decided adversely to appellant, and

¹ We note for benefit of appellant's counsel that this rule was amended in 2008, resulting in former Rule 4-3(j) being redesignated as 4-3(k).



Cite as 2013 Ark. App. 385

a brief in which counsel explains why there is nothing in the record that would support an appeal. The clerk of this court served appellant with a copy of her counsel's brief and notified her of her right to file a pro se statement of points for reversal within thirty days. Appellant has filed no such statement.

From our review of the record and the brief 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 revocation order is affirmed.

Affirmed; motion to withdraw granted.

WYNNE and GRUBER, JJ., agree.

C. Brian Williams, for appellant.

No response.