

ARKANSAS COURT OF APPEALS

DIVISION IV
No. CR-12-737

JOSEPH L. LINDSEY

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered June 19, 2013

APPEAL FROM THE SEBASTIAN
COUNTY CIRCUIT COURT, FORT
SMITH DISTRICT
[NO. CR-07-24; CR-08-245]

HONORABLE J. MICHAEL
FITZHUGH, JUDGE

AFFIRMED; MOTION TO
WITHDRAW AS COUNSEL
GRANTED

PHILLIP T. WHITEAKER, Judge

This is a no-merit appeal from the revocation of appellant Joseph Lindsey's suspended imposition of sentence wherein he was sentenced to nine years in the Arkansas Department of Correction, followed by ten years' suspended imposition of sentence. 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 filed a statement alleging several grounds for reversal, but all 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 as counsel granted.

VAUGHT and HIXSON, JJ., agree.

James, Carter & Coulter, PLC, by: *Misty Wilson Borkowski*, for appellant.

Joseph Lindsey, pro se appellant.

Dustin McDaniel, Att'y Gen., by: *Valerie Glover Fortner*, Ass't Att'y Gen., for appellee.