

# ARKANSAS COURT OF APPEALS

DIVISION II  
No. CR-13-226

DARRON AIKENS

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered November 20, 2013

APPEAL FROM THE CRITTENDEN  
COUNTY CIRCUIT COURT  
[NO. CR-06-529]

HONORABLE RANDY F.  
PHILHOURS, JUDGE

REBRIEFING ORDERED; MOTION  
TO WITHDRAW DENIED

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## DAVID M. GLOVER, Judge

Darren Aikens pleaded guilty on June 15, 2006, to the offense of Class B felony domestic battery and was placed on six years' supervised probation. The State filed a petition to revoke Aikens's probation on February 23, 2009. After a September 16, 2011 hearing, the circuit court revoked Aikens's probation and ordered him to serve an additional three years' supervised probation. The State filed a petition to revoke Aikens's probation on July 12, 2012. On December 18, 2012, the trial court, after a revocation hearing, found that Aikens had violated the terms of his probation, revoked Aikens's probation, and sentenced him to five years in the Arkansas Department of Correction.

Counsel has filed a no-merit brief and a motion to withdraw as counsel. We deny the motion to withdraw and order rebriefing for the reasons stated in *Hollins v. State*, 2013 Ark. App. \_\_\_, decided this date.

Counsel's substituted brief, abstract, and addendum are due within fifteen days from the date of this decision. Ark. Sup. Ct. R. 4-2(b)(3) (2013). We express no opinion as to whether the new appeal should be made pursuant to Rule 4-3(k)(1) or should be on meritorious grounds. If a no-merit brief is filed, counsel's motion and brief will be forwarded by our clerk to appellant so that, within thirty days, he again will have the opportunity to raise any points he so chooses in accordance with Ark. Sup. Ct. R. 4-3(k)(2). In either instance, the State shall be afforded the opportunity to file a responsive brief.

Rebriefing ordered; motion to withdraw denied.

WYNNE and VAUGHT, JJ., agree.

*C. Brian Williams*, for appellant.

No response.