

## ARKANSAS COURT OF APPEALS

DIVISION IV  
No. CR-13-174

DONALD D. EDWARDS

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

**Opinion Delivered** May 14, 2014

APPEAL FROM THE CRITTENDEN  
COUNTY CIRCUIT COURT  
[NO. CR-2008-1248]

HONORABLE JOHN N.  
FOGLEMAN, JUDGE

AFFIRMED; MOTION TO  
WITHDRAW GRANTED

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### ROBIN F. WYNNE, Judge

Donald D. Edwards appeals from the revocation of his suspended imposition of sentence. Pursuant to Arkansas Supreme Court Rule 4-3(k)(1) (2013) and *Anders v. California*, 386 U.S. 738 (1967), his attorney has filed a no-merit brief and a motion to withdraw, asserting that there is no issue of arguable merit to present on appeal.<sup>1</sup> Edwards has filed pro se points, and the State has filed a response brief. We affirm the revocation and grant counsel's motion to withdraw.

In May 2009, Edwards pled guilty to robbery, a Class B felony. He was sentenced to 120 months' imprisonment, followed by 120 months' suspended imposition of sentence (SIS), and ordered to pay certain costs and fees in monthly installments of \$50 beginning sixty

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<sup>1</sup>This case returns to us following a rebriefing order. *Edwards v. State*, 2014 Ark. App. 7.

days after his release from the Arkansas Department of Correction. In May 2012, the State filed a petition for revocation of suspension, alleging that Edwards had violated the conditions of his SIS as follows: (1) failure to pay fines, costs, and fees as directed; (2) failure to notify sheriff of current address and employment; (3) possession of marijuana, November 14, 2011 arrest; (4) no liability insurance; (5) driving while driver's license suspended; (6) driving a vehicle with a fictitious vehicle license; and (7) tampering with physical evidence. At the revocation hearing on November 27, 2012, appellant testified and admitted to possessing marijuana at the time of his November 2011 arrest. In addition, a certified copy of the district-court conviction for misdemeanor possession of marijuana was introduced. The court found that Edwards had violated the conditions of his SIS by possessing marijuana and sentenced him to sixty months in the Arkansas Department of Correction. Edwards timely appealed.

In the brief, counsel identifies three rulings that were adverse to Edwards and adequately explains why none present a meritorious ground for reversal: denying a motion for continuance, overruling an objection to the introduction of appellant's district court conviction, and the revocation itself. Appellant's pro se points do not raise any arguably meritorious grounds for reversal. After reviewing the record, counsel's brief, appellant's pro se points, and the State's brief, we affirm the revocation and grant counsel's motion to withdraw.

Affirmed; motion to withdraw granted.

WHITEAKER and VAUGHT, JJ., agree.

*C. Brian Williams*, for appellant.

*Dustin McDaniel*, Att'y Gen., by: *Christian Harris*, Ass't Att'y Gen., for appellee.