

**ARKANSAS COURT OF APPEALS**

DIVISION III

No. CR-13-755

JOSHUA FEATHERSTON  
APPELLANT

V.

STATE OF ARKANSAS  
APPELLEE

Opinion Delivered June 18, 2014

APPEAL FROM THE CRAWFORD  
COUNTY CIRCUIT COURT  
[Nos. 17CR-11-72, 17CR-11-337]

HONORABLE GARY COTTRELL,  
JUDGE

AFFIRMED; MOTION TO WITHDRAW  
GRANTED

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**LARRY D. VAUGHT, Judge**

Appellant Joshua Featherston appeals from the revocation of his probation and resulting sentences of six years' imprisonment for terroristic threatening, ten years' imprisonment for criminal mischief (to run consecutive to the six-year sentence), and ten years' suspended imposition of sentence in a second terroristic-threatening conviction. The trial court found by a preponderance of the evidence that Featherston had violated the terms and conditions of his probation by committing criminal mischief, fleeing, resisting arrest, and being under the influence of drugs and alcohol.

Featherston's attorney has filed a no-merit brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Ark. Sup. Ct. R. 4-3(k)(1) (2013), along with a motion to be relieved as counsel, asserting that there is no issue of arguable merit for an appeal. Featherston was notified, by certified mail, of his right to file pro se points for reversal but has not done so. The State has not filed a brief.

The test for filing a no-merit brief is not whether there is any reversible error, but rather whether an appeal would be wholly frivolous. *Tucker v. State*, 47 Ark. App. 96, 885 S.W.2d 904 (1994). Based on our review of the record for potential error pursuant to *Anders* and the requirements of Rule 4-3(k), we hold that Featherston's appeal is wholly without merit. Therefore, pursuant to sections (a) and (b)<sup>1</sup> of *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985), we issue this memorandum opinion granting counsel's motion to be relieved and affirming the court's revocation.

Affirmed; motion to withdraw granted.

WALMSLEY and GLOVER, JJ., agree.

*Lisa-Marie Norris*, for appellant.

No response.

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<sup>1</sup>(a) Where the only substantial question involved is the sufficiency of the evidence; (b) Where the opinion, or findings of fact and conclusions of law, of the trial court or agency adequately explain the decision and we affirm[.]