

# ARKANSAS COURT OF APPEALS

DIVISION II  
No. CR-14-509

FRANK BEMIS PLEDGER  
APPELLANT

V.

STATE OF ARKANSAS  
APPELLEE

Opinion Delivered May 13, 2015

APPEAL FROM THE MILLER  
COUNTY CIRCUIT COURT  
[NO. 46CR-13-184]

HONORABLE KIRK DOUGLAS  
JOHNSON, JUDGE

AFFIRMED; MOTION TO  
WITHDRAW GRANTED

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## PHILLIP T. WHITEAKER, Judge

Appellant Frank Bemis Pledger appeals his Miller County Circuit Court conviction of residential burglary. Appellate counsel has filed a motion with this court to be relieved as counsel pursuant to *Anders v. California*, 386 U.S. 738 (1967) and Arkansas Supreme Court Rule 4-3(k) (2014). The motion is accompanied by a no-merit brief containing an abstract and addendum of the proceedings below. The abstract and addendum in counsel's brief include all objections and motions decided adversely to appellant, and counsel explains in the argument portion of his brief why there is nothing in the record that would arguably support an appeal. Pledger has filed a pro se statement of points for reversal, and the State has filed a response thereto.

The test for filing a no-merit brief is not whether there is any reversible error but whether an appeal would be wholly frivolous. See *Tucker v. State*, 47 Ark. App. 96, 885

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S.W.2d 904 (1994). From our review of the record and the brief presented to us, including consideration of Pledger's pro se points for reversal, which are either not preserved for appeal or do not otherwise support reversal, we find compliance with Rule 4-3(k) and hold that there is no merit to an appeal.

Affirmed; motion to withdraw granted.

VIRDEN and GRUBER, JJ., agree.

*Phillip A. McGough, P.A.*, by: *Phillip A. McGough*, for appellant.

*Dustin McDaniel, Att'y Gen.*, by: *Nicana C. Sherman, Ass't Att'y Gen.*, for appellee.