

**ARKANSAS COURT OF APPEALS**

DIVISION IV  
No. CR-14-695

MICHAEL TODD

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered September 23, 2015

APPEAL FROM THE HEMPSTEAD  
COUNTY CIRCUIT COURT  
[NOS. CR-2009-33, CR-2009-34, CR-  
2009-35, CR-2009-36, CR-2009-37,  
CR-2009-38, CR-2013-78]

HONORABLE DUNCAN  
CULPEPPER, JUDGE

REMANDED FOR CORRECTION  
OF THE RECORD

**M. MICHAEL KINARD, Judge**

Appellant Michael Todd brings this appeal from the revocation of his suspended imposition of sentence (SIS) in six cases and from his convictions in a seventh case. We remand for the record to be corrected.

In April 2009, appellant entered a negotiated plea to nine counts of breaking or entering in six different cases. He was sentenced to eight years' imprisonment and seven years' SIS on each count. In February 2014, the State filed a petition to revoke appellant's SIS in all six 2009 cases. At a revocation hearing on February 24, 2014, the State presented evidence that appellant had been convicted of another crime in 2013. The court revoked appellant's SIS on all nine breaking-or-entering convictions and sentenced him to sixty-four months' imprisonment on each count.

Cite as 2015 Ark. App. 502

In case CR-2013-78, appellant was charged with breaking or entering, second-degree forgery, theft of property, and commercial burglary. After a jury trial on February 26, 2014, he was convicted of all four counts and sentenced to seventy-five years' imprisonment, to run consecutive to his sentences received upon revocation.

On March 21, 2014, appellant filed a timely notice of appeal from his convictions in case CR-2013-78. On the same date, he also timely filed a separate notice of appeal from the orders revoking his SIS in CR-2009-33, CR-2009-34, CR-2009-35, CR-2009-36, CR-2009-37, and CR-2009-38. The record appellant filed with the clerk of this court contains the proceedings of both his revocation hearing and his separate jury trial, and in his brief, appellant raises arguments stemming from both proceedings. However, the two matters were tried separately below, and the appeals from the two proceedings have not been consolidated by this court. We remand for two separate records to be compiled by the circuit clerk. The records shall be filed within thirty days of the date of this opinion. Appellant's counsel shall file two separate briefs within thirty days thereafter.

Remanded for correction of the record.

GRUBER and HIXSON, JJ., agree.

*Anthony S. Biddle*, for appellant.

*Leslie Rutledge*, Att'y Gen., by: *Ashley Argo Priest*, Ass't Att'y Gen., for appellee.