

ARKANSAS COURT OF APPEALS

DIVISION I
No. CR-14-783

KAMRAN TYSHUN JACKSON
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered October 28, 2015

APPEAL FROM THE CONWAY
COUNTY CIRCUIT COURT
[NO. 15CR-13-154]

HONORABLE JERRY RAMEY,
JUDGE

AFFIRMED; MOTION TO
WITHDRAW GRANTED

PHILLIP T. WHITEAKER, Judge

Kamran Tyshun Jackson appeals his Conway County jury conviction of one count of theft of property with a value over \$1,000 but less than \$5,000—a class D felony. His counsel initially filed a motion to be relieved as counsel pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Arkansas Supreme Court Rule 4-3(k), stating that there were no nonfrivolous issues to present on appeal. However, on June 17, 2015, this court ordered rebriefing, finding that counsel’s brief at that time did not satisfy the requirements of *Anders, supra*, or Rule 4-3(k), because it failed to address an adverse-sentencing decision.¹ This current appeal follows after rebriefing.

Counsel has once again filed a motion to be relieved as counsel pursuant to *Anders, supra*, and Rule 4-3(k). The motion is accompanied by an abstract and addendum of

¹*Jackson v. State*, 2015 Ark. App. 400.

the proceedings below, which includes all objections and motions decided adversely to Jackson, and a brief in which counsel explains why there is nothing in the record that would support an appeal. Jackson was informed of his right to file pro se points for reversal, but he has not done so.

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 S.W.2d 904 (1994). From our review of the record and the brief presented to us, we find compliance with Rule 4-3(k) and hold that there is no merit to an appeal.

Affirmed; motion to withdraw granted.

GLOVER and BROWN, JJ., agree.

Files & Brasuell, PLLC, by: *Toney B. Brasuell*, for appellant.

No response.