

ARKANSAS COURT OF APPEALS

DIVISIONS I & IV

No. CR-15-79

A.I.M.

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered: November 12, 2015

APPEAL FROM THE CRAIGHEAD
COUNTY CIRCUIT COURT,
WESTERN DISTRICT
[NO. JV2005-79]

HONORABLE LEE FERGUS, JUDGE

REVERSED

WAYMOND M. BROWN, Judge

Appellant appeals from the circuit court's adjudication of his delinquency on charges of theft by receiving, a Class C felony, and minor in possession. Appellant's sole point on appeal is that the circuit court erred by failing to grant his motion for directed verdict where the only evidence came from the testimony of a codefendant who had pled guilty to charges prior to appellant's trial.

We reverse appellant's adjudication based on the analysis in a companion opinion decided today. *See D.F. v. State*, CR-15-78.

Reversed.

VIRDEN, HARRISON, KINARD, and GLOVER, JJ., agree.

GLADWIN, C.J., dissents.

ROBERT J. GLADWIN, Chief Judge, dissenting. I dissent based on the same rationale expressed in *D.F. v. State*, 2015 Ark. App. 656.

Terry Goodwin Jones, for appellant.

Leslie Rutledge, Att'y Gen., by: *Kristen C. Green*, Ass't Att'y Gen., for appellee.