

## ARKANSAS COURT OF APPEALS

DIVISION III  
No. CACR09-1358

MOISES DIAZ

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

**Opinion Delivered** JANUARY 12, 2011

APPEAL FROM THE SEBASTIAN  
COUNTY CIRCUIT COURT, FORT  
SMITH DISTRICT

[NOS. CR-2008-1128, CR-2008-1129]

HONORABLE JAMES O. COX,  
JUDGE

AFFIRMED; MOTION TO  
WITHDRAW GRANTED

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### JOSEPHINE LINKER HART, Judge

A jury found appellant, Moises Diaz, guilty of two counts of delivery of marijuana. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Rule 4-3(k) of the Rules of the Arkansas Supreme Court and Court of Appeals, appellant's counsel has filed a motion to withdraw on the ground that this appeal is wholly without merit. Accompanying this motion, counsel has filed a brief that contains an abstract, addendum, and argument section listing all adverse rulings made by the circuit court with an explanation as to why each adverse ruling is not a meritorious ground for reversal. The clerk of this court sent appellant a copy of counsel's brief and notified him of the right to raise pro se points on appeal. Appellant chose not to file any points on appeal.

After a careful review of the record and counsel's brief, we find compliance with Rule

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4-3(k) and conclude that the appeal is wholly without merit. Accordingly, we grant counsel's motion to be relieved and affirm appellant's convictions.

Affirmed; motion to withdraw granted.

VAUGHT, C.J., and GLOVER, J., agree.