

Cite as 2018 Ark. App. 47

ARKANSAS COURT OF APPEALS

DIVISION IV
No. CR-17-129

SENEQUA LANELL CHATT

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered: January 24, 2018

APPEAL FROM THE CRITTENDEN
COUNTY CIRCUIT COURT
[NO. 18CR-13-666]

HONORABLE CINDY THYER,
JUDGE

AFFIRMED; MOTION TO
WITHDRAW GRANTED

WAYMOND M. BROWN, Judge

Appellant appeals from the circuit court’s order revoking her probation. Appellant’s counsel has filed a no-merit brief and a motion to withdraw, pursuant to *Anders v. California*,¹ and Arkansas Supreme Court Rule 4-3(k),² stating that there are no meritorious grounds to support appeal. The clerk mailed a certified copy of counsel’s motion and brief to appellant, informing her of her right to file pro se points for reversal. Appellant has failed to file any points for reversal. We affirm and grant counsel’s motion to withdraw.

On August 5, 2013, appellant was charged with one count of possession of a controlled substance. She pleaded guilty on January 24, 2014, and was placed on seventy-two months’ probation, in addition to court costs and fees.

¹386 U.S. 738 (1967).

²(2017).

Appellee filed a petition to revoke appellant's probation on August 19, 2014, alleging ten violations of her probation, though we specifically note only her (1) failure to pay fines, costs and fees as directed; (2) failure to report to probation as directed; (3) failure to pay probation fees; (4) 4/5/2014 arrest for possession of drug paraphernalia; (5) 6/2/2014 arrest for possession of drug paraphernalia and public intoxication; (6) 8/3/2014 arrest for possession of drug paraphernalia; and (7) 8/2/2013 arrest for possession and use of cocaine. In its October 20, 2014 sentencing order, the circuit court sentenced appellant to ninety days in the county jail in addition to being placed on probation until January 24, 2020, along with court costs and fees.

Appellee filed a second petition for revocation of appellant's probation on December 15, 2014, alleging (1) failure to pay fines, costs, and fees as directed; (2) failure to report to probation as directed; (3) failure to pay probation fees; and (4) failure to notify the sheriff and probation officer of her current address and employment. In its February 19, 2015 sentencing order, the circuit court sentenced appellant to thirty days in the county jail and continued her probation to January 24, 2020, as previously ordered.

Appellee filed its third petition for revocation of appellant's probation on March 24, 2015, alleging the same four violations from its December 15, 2014 petition in addition to a violation for disorderly conduct, possession of drug paraphernalia, carrying a weapon, and resisting arrest. Appellant pleaded guilty on March 21, 2016, to possession of a controlled substance. She signed lengthy terms and conditions of her guilty plea and deferral to the Crittenden County adult drug court; an order transferring her case to the drug court was

entered and she was admitted into the drug court by separate order entered on the same date.

As part of the program, a March 21, 2016 order was entered ordering appellant to enter a designated short-term residential substance-abuse-treatment program for a period of 90 days. This order was vacated in the circuit court's August 22, 2016 order, which stated that appellant had absconded from the drug-court program, though it noted that she remains on the "backup list."

Appellee filed its fourth petition to revoke appellant's probation on October 13, 2016, alleging violations of her probation that included (1) failure to pay fines, costs and fees as directed; (2) failure to live a law-abiding life, be of good behavior, and not violate any state, federal, or municipal law; (3) committed the misdemeanor offense of public intoxication; (4) committed the felony offense of possession of drug paraphernalia on 9/21/2016; and, after pleading into drug court, (5) failure to report to drug court and (6) failure to report to the probation and parole division. A hearing on appellee's petition was held on October 24, 2016, at the close of which appellant was sentenced to forty-eight months' in the Arkansas Department of Correction. A sentencing order reflecting the same was entered on the same date. This timely appeal followed.

In compliance with *Anders* and Rule 4-3(k), counsel ordered the entire record and found that after a conscientious review of the record, there are no issues of arguable merit for appeal. Counsel's brief adequately covered all the adverse rulings as well as the revocation itself. After carefully examining the record and the brief presented to us, we find that counsel

has complied with the requirements established by the Arkansas Supreme Court for no-merit appeals in criminal cases and conclude that the appeal is wholly without merit.

Affirmed; motion to withdraw granted.

VIRDEN and GLOVER, JJ., agree.

Tyler C. Ginn, for appellant.

One brief only.