

# ARKANSAS COURT OF APPEALS

DIVISION I  
No. CACR09-312

MELVIN CISERO

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

**Opinion Delivered** January 13, 2010

APPEAL FROM THE CRITTENDEN  
COUNTY CIRCUIT COURT,  
[NO. CR 2007-948]

HONORABLE DAVID BURNETT,  
JUDGE

AFFIRMED;  
MOTION TO WITHDRAW  
GRANTED

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## JOSEPHINE LINKER HART, Judge

Melvin Cisero pleaded guilty to burglary and received twenty-four months' probation, along with fines and costs in the amount of \$1270. He was ordered to pay that amount at a rate of \$75 per month. Less than a year later, the State petitioned to revoke Cisero's probation, alleging that he violated the terms and conditions of his probation by (1) failing to pay his fines and costs as directed; (2) failing to report to probation as directed; (3) failing to pay probation fees; (4) failing to notify the sheriff and probation department of his current address and place of employment; (5) committing burglary and theft; (6) associating with others violating criminal laws; and (7) committing theft by receiving. After a hearing, the trial court revoked Cisero's probation and sentenced him to 120 months in the Arkansas Department of Correction.

Cite as 2010 Ark. App. 27

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, Cisero's counsel has filed a motion to withdraw on grounds that the appeal is without merit. The clerk of this court furnished appellant with a copy of his counsel's brief and notified him of his right to file pro se points for reversal within thirty days. Cisero did not avail himself of the opportunity to submit pro se points. The State has not filed a brief.

After our examination of the record, we conclude that it is uncontroverted that Cisero failed to report his current address to the Crittenden County Sheriff as required by the terms and conditions of his probation. Importantly, no adverse evidentiary rulings were made with regard to the proof that Cisero violated this condition. It is well-settled law that where multiple offenses are alleged as justification for revocation of probation, the trial court's finding that revocation is justified must be affirmed if the evidence is sufficient to establish that the appellant committed any one of the offenses. *Farr v. State*, 6 Ark. App. 14, 636 S.W.2d 884 (1982).

Affirmed. Motion to withdraw as counsel granted.

PITTMAN and GLADWIN, JJ., agree.