

ARKANSAS COURT OF APPEALS

DIVISION IV
No. CACR 08-767

ERIC DEWAYNE MARTIN
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered January 13, 2010

APPEAL FROM THE MILLER
COUNTY CIRCUIT COURT
[NO. CR-97-605-3]

HONORABLE KIRK D. JOHNSON,
JUDGE

AFFIRMED; MOTION TO BE
RELIEVED GRANTED

COURTNEY HUDSON HENRY, Judge

By an order entered on February 20, 2008, the Circuit Court of Miller County revoked appellant Eric Dewayne Martin’s probation for the offenses of residential burglary, theft of property, and breaking or entering. As a consequence, the circuit court sentenced appellant to concurrent sentences totaling twenty years in prison. 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 asserting that the appeal is wholly without merit. In conjunction with the motion to withdraw, counsel filed a brief listing all adverse rulings with an explanation as to why each ruling does not present a meritorious argument for reversal. The clerk of this court provided appellant a copy of

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counsel's motion and brief and notified him of his right to file a pro se brief listing points for reversal within thirty days. Appellant has chosen not to do so.

The record reflects that the only adverse ruling was the circuit court's decision to revoke appellant's probation. The circuit court found that appellant had inexcusably violated the conditions of his probation by failing to report to his probation officer and by failing to pay restitution, fines, and probation fees. At the hearing, appellant admitted that he had not abided by the terms of his probation in these respects. From our review of the record, we conclude that the appeal is wholly without merit, and thus we affirm the revocation and grant counsel's motion to be relieved.

Affirmed; motion granted.

BAKER and BROWN, JJ., agree.