

**ARKANSAS COURT OF APPEALS**

DIVISION IV

No. CACR09-960

AARON MATTHEW HARALSON,  
APPELLANT

V.

STATE OF ARKANSAS,  
APPELLEE

**Opinion Delivered** 3 MARCH 2010

APPEAL FROM THE GARLAND  
COUNTY CIRCUIT COURT  
[NO. CR-2008-478-I]

HONORABLE JOHN HOMER  
WRIGHT, JUDGE

AFFIRMED

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**D.P. MARSHALL JR., Judge**

A jury convicted Aaron Haralson of sexual indecency with a child for soliciting K.B. The girl was eleven; Haralson was nineteen. They struck up a summer friendship at a pool. Over a couple of months, things progressed from visiting and texting to kissing and beyond. Early one morning, according to K.B., Haralson told her on the telephone that he loved her, wanted to take her away, and wanted to marry her. In the same call, Haralson said “he wanted to finger me . . . make babies with me . . . [a]nd . . . put his—his penis into me.” The next day, he pushed K.B. against a wall, picked her up with his hands on her buttocks, kissed her, and tried to unbutton her jeans.

Because he was older than eighteen, and she was younger than fifteen, Haralson

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committed sexual indecency with K.B. if he solicited her to engage in sexual intercourse, deviate sexual activity, or sexual contact. Ark. Code Ann. § 5-14-110(a)(1) (Supp. 2009). Haralson argues, as he did in moving for a directed verdict, that the State produced insufficient evidence of solicitation. The Code does not define this element of this crime, though it does define the stand-alone crime of solicitation. Ark. Code Ann. § 5-3-301(a) (Repl. 2006). Our sexual-indecency cases have looked to the word book. Among other things, the verb solicit means to entreat or importune, to endeavor to obtain by asking or pleading, and to seek eagerly or actively. *Heape v. State*, 87 Ark. App. 370, 376, 192 S.W.3d 281, 285 (2004) (quoting WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY 2169 (1993)); *see also Renderos v. State*, 92 Ark. App. 293, 294–95 & n.1, 213 S.W.3d 37, 38–39 & n.1 (2005) (echoing *Heape*, and holding that the statute reaches unambiguous non-verbal inducement).

We consider only the evidence supporting the verdict and view that evidence in the light most favorable to the State. *Williams v. State*, 346 Ark. 304, 306–07, 57 S.W.3d 706, 708 (2001). When Haralson told K.B. all the sexual things he wanted to do to her, and followed his list by trying to unbutton her pants while kissing her and holding her against the wall, his words and actions provided substantial evidence that he actively sought eleven-year-old K.B.'s participation in sexual activity.

Affirmed.

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ROBBINS and GLOVER, JJ., agree.