

ARKANSAS COURT OF APPEALS

DIVISION II

No. CACR 09-798

JONATHAN GRAYDON

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered June 23, 2010

APPEAL FROM THE LONOKE
COUNTY CIRCUIT COURT
[NO. CR2002-366]

HONORABLE BARBARA ELMORE,
JUDGE

AFFIRMED; MOTION GRANTED

COURTNEY HUDSON HENRY, Judge

In a bench trial, the Circuit Court of Lonoke County found appellant Jonathan Graydon guilty of raping a fourteen-year-old female. As a result, the court sentenced appellant to a term of 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 be relieved asserting that the appeal is wholly without merit. Counsel's motion is accompanied by a brief listing all adverse rulings and explaining why each of those decisions will not support an appeal. The clerk of this court notified appellant of his right to file pro se points on appeal, and appellant has availed himself of that opportunity. After reviewing the record, we find that counsel has complied with the rules regarding no-merit appeals and conclude that none of the adverse rulings present a meritorious issue for appeal. We have also examined the issues raised by appellant and find

them to be without merit. Consequently, we affirm the judgment of conviction and grant counsel's motion to be relieved.

In his pro se points on appeal, appellant maintains that the circuit court did not acquire jurisdiction because the record does not contain the felony information charging him with the crime of rape. Initially, the record did not include the felony information, but upon counsel's motion, the record was supplemented to cure this omission. Therefore, appellant's argument is not well taken. Next, appellant asserts that fraud occurred because the victim wrote letters allegedly stating that the sexual encounter was consensual and that the police coerced her to make the accusation of rape. These letters were introduced into evidence. Thus, appellant's allegations were fully aired during the proceedings below. Finally, appellant contends that he received ineffective assistance of counsel. However, appellant did not raise this issue below, and such claims cannot be made for the first time on appeal. *Hood v. State*, 2010 Ark. App. 299.

Affirmed; motion granted.

HART and GLOVER, JJ., agree.