

ARKANSAS COURT OF APPEALS

DIVISION I
No. CACR09-1360

ANDREE RENEE RODGERS
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered JUNE 30, 2010

APPEAL FROM THE CRITTENDEN
COUNTY CIRCUIT COURT
[NO. CR-06-1498]

HONORABLE DAVID BURNETT,
JUDGE

AFFIRMED; MOTION GRANTED

KAREN R. BAKER, Judge

On January 19, 2007, appellant Andree Renee Rodgers pled guilty to the offense of possession of a controlled substance, a Class C felony, and received a negotiated sentence of thirty-six months' supervised probation, accompanied by fines and costs in the amount of \$1,500 to be paid at the rate of \$50 a month, beginning March 10, 2007. On June 4, 2009, the State of Arkansas filed a petition to revoke the supervised probation, alleging that appellant had violated terms and conditions of his probation, including, but not limited to, failure to pay fines, costs, and fees as directed; failure to report to probation as directed; failure to pay probation fees; failure to notify sheriff and probation officer of current address and employment; possession and use of alcohol; various disorderly conduct charges; and driving

without a license. After a hearing on the State's petition, the trial court found that appellant had violated the terms and conditions of his probation, revoked his probation, and sentenced him to 120 months in the Arkansas Department of Correction.

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 on grounds that the appeal is without merit. The motion is accompanied by counsel's brief in which counsel explains why there is nothing in the record that would arguably support an appeal. The clerk of this court provided appellant with a copy of his counsel's brief and notified him of his right to file a pro se list of points on appeal within thirty days; however, appellant did not file a list of pro se points on appeal.

From our review of the record and the briefs presented to us, we find compliance with Rule 4-3(k) and hold that the appeal is wholly without merit. Accordingly, we grant counsel's motion to withdraw and affirm the revocation of appellant's suspended imposition of sentence.

Affirmed; motion to be relieved granted.

GLADWIN and ROBBINS, JJ., agree.