

Cite as 2019 Ark. App. 319

ARKANSAS COURT OF APPEALS

DIVISION I

No. CR-18-897

DEMORCUS L. SMITH

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered: June 5, 2019

APPEAL FROM THE ASHLEY
COUNTY CIRCUIT COURT
[NO. 02CR-17-095]

HONORABLE ROBERT BYNUM
GIBSON, JR., JUDGE

REBRIEFING ORDERED

RITA W. GRUBER, Chief Judge

This is a companion case to *Smith v. State*, 2019 Ark. App. 320, also handed down today. Both are no-merit appeals from a revocation of probation. The circuit court held one hearing for both cases. The Ashley County Circuit Court revoked Demorcus Smith's probation in both cases and sentenced him to eight years' imprisonment in orders entered on July 10, 2018, to run concurrently. The underlying conviction in this case was entered on a plea of guilty to failure to register as a sex offender on September 12, 2017. Pursuant to Arkansas Supreme Court Rule 4-3(k) and *Anders v. California*, 386 U.S. 738 (1967), appellant's counsel has filed a motion to withdraw stating that there is no merit to an appeal. The underlying conviction in case no. CR-18-925 was entered on a plea of guilty to second-degree sexual assault on December 9, 2014. Because of briefing deficiencies, we order rebriefing.

The record filed in this case contains the pleadings, orders, and documents in the failure-to-register conviction, circuit court case no. CR-17-095. The brief filed in this case, however, contains a statement of the case, argument, and addendum concerning the sexual-assault conviction, circuit court case no. CR-14-098. Conversely, the record filed in the companion appeal, case no. CR-18-925, contains the record for the sexual-assault conviction, but the briefs filed in the companion appeal concern the failure-to-register conviction.

We order counsel to correct the above-referenced briefing deficiency within fifteen days of this opinion.

Rebriefing ordered.

ABRAMSON and HARRISON, JJ., agree.

Potts Law Office, by: *Gary W. Potts*, for appellant.

One brief only.