

Cite as 2019 Ark. App. 320

**ARKANSAS COURT OF APPEALS**

DIVISION I

No. CR-18-925

DEMORCUS L. SMITH

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered: June 5, 2019

APPEAL FROM THE ASHLEY  
COUNTY CIRCUIT COURT  
[NO. 02CR-14-098]

HONORABLE ROBERT BYNUM  
GIBSON, JR., JUDGE

REBRIEFING ORDERED

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**RITA W. GRUBER, Chief Judge**

This is a companion case to *Smith v. State*, 2019 Ark. App. 319, also handed down today. Both are no-merit appeals from a revocation of probation. The circuit court held one hearing for both cases. In this case, the Ashley County Circuit Court revoked Demorcus Smith's probation and sentenced him to eight years' imprisonment in an order entered on July 10, 2018. The underlying conviction was entered on a plea of guilty to second-degree sexual assault on December 9, 2014. 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. Also on July 10, 2018, in case no. CR-18-897, the Ashley County Circuit Court revoked appellant's probation and sentenced him to eight years' imprisonment, to run concurrently with the sentence in this case. The underlying conviction was entered on a plea of guilty to failing to register as a sex offender on September 12, 2017. Because of briefing deficiencies, we order rebriefing.

The record filed in this case contains the pleadings, orders, and documents in the sexual-assault conviction, circuit court case no. CR-14-098. The brief filed in this case, however, contains a statement of the case, argument, and addendum concerning the failure-to-register conviction, circuit court case no. CR-17-095. Conversely, the record filed in the companion appeal, Case No. CR-18-897, contains the record for the failure-to-register conviction, but the briefs filed in the companion appeal concern the sexual-assault 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.