

Cite as 2019 Ark. App. 328

**ARKANSAS COURT OF APPEALS**

DIVISION IV

No. CR-18-818

MICHAEL DAKOTA HOOD

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

**Opinion Delivered:** June 5, 2019

APPEAL FROM THE BENTON  
COUNTY CIRCUIT COURT  
[NOS. 04CR-16-1603, 04CR-17-40,  
04CR-17-882 & 04CR-18-463 ]

HONORABLE BRAD KARREN,  
JUDGE

APPEAL DISMISSED; MOTION TO  
WITHDRAW GRANTED

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**MEREDITH B. SWITZER, Judge**

Michael Hood appeals from the May 23, 2018 sentencing order involving four cases in which he pleaded guilty: case numbers 04CR-16-1603, 04CR-2017-40, 04CR-17-882, and 04CR-18-463. His counsel has filed a motion to withdraw and a supporting brief 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, asserting that an appeal in this matter would be wholly without merit. The motion and brief comply with the rules for no-merit appeals. The court clerk sent a copy of counsel's motion and brief to Hood at his last-known address and informed him of his right to file points for reversal. He declined to do so. We dismiss the appeal and grant the motion to withdraw.

In February 2017, Hood pleaded guilty to two drug-related offenses.<sup>1</sup> He was sentenced in part to three years of supervised probation. The State filed a petition to revoke Hood's probation on May 18, 2017, and amended it on April 12, 2018, alleging violations of the terms and conditions of his probation, including the commission of additional offenses. In a hearing on April 16, 2018, Hood pleaded guilty to three new charges<sup>2</sup> and pleaded guilty to the allegations supporting the petition to revoke.

Hood has no right to an appeal from a sentence based on his guilty pleas. Ark. R. App. P.–Crim. 1(a) (2018); *Burns v. State*, 2017 Ark. 280, 528 S.W.3d 269; *Cummins v. State*, 2013 Ark. App. 657 (no direct appeal from a plea of guilty). Although there are exceptions to this rule,<sup>3</sup> none of the exceptions apply in this case. Therefore, we grant the motion to withdraw, and we dismiss this appeal.

Appeal dismissed; motion to withdraw granted.

GLADWIN and HIXSON, JJ., agree.

*David Law Firm, PLLC*, by: *Jason R. Davis*, for appellant.

One brief only.

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<sup>1</sup>Case number 04CR-16-1603 (possession of drug paraphernalia) and case number 2017-40-2 (possession of a controlled substance (methamphetamine)).

<sup>2</sup>Case number 04CR-17-882 (possession of drug paraphernalia and failure to appear for felony offense) and case number 04CR-18-463 (possession of drug paraphernalia).

<sup>3</sup>“There are three exceptions: (1) when a conditional plea of guilty is premised on an appeal of the denial of a suppression motion pursuant to Arkansas Rule of Criminal Procedure 24.3; (2) when there is a challenge to testimony or evidence presented before a jury in a sentencing hearing separate from the plea itself; and (3) when the appeal is from a posttrial motion challenging the validity and legality of the sentence itself.” *Starks v. State*, 2019 Ark. App. 182, at 2–3, 574 S.W.3d 700, 702.