

Cite as 2022 Ark. App. 525

ARKANSAS COURT OF APPEALS

No. CR-22-582

CHAVEL JEMISON

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered December 14, 2022

APPELLEE'S MOTION TO REMAND
OR, IN THE ALTERNATIVE,
MOTION FOR EXTENSION OF
TIME

MOTION GRANTED; REVERSED
AND REMANDED

PER CURIAM

Chavel Jemison was convicted by a jury of commercial burglary and aggravated robbery and was sentenced to 660 months in prison. We affirmed his convictions on direct appeal in *Jemison v. State*, 2019 Ark. App. 475, 588 S.W.3d 359. Thereafter, Jemison filed a Rule 37 petition as well as amended petitions. The circuit court denied his request for relief following an evidentiary hearing. This appeal followed. The State has filed a motion asking us to reverse and remand to the circuit court for findings mandated by Rule 37 of the Arkansas Rules of Criminal Procedure.

When a hearing is granted on a petition for postconviction relief, the supreme court has held that Arkansas Rule of Criminal Procedure 37.3(c) is mandatory and requires the trial court to provide written findings of fact and conclusions of law on every point upon which the hearing is held. See *Scott v. State*, 351 Ark. 619, 96 S.W.3d 732 (2003) (per curiam).

When the circuit court fails to enter any written findings following a hearing, the supreme court has consistently remanded the case to the circuit court for fact-finding on all the issues raised in the petition. *Campbell v. State*, 2019 Ark. App. 409, at 2.

Due to the circuit court's failure to make sufficient written findings, we cannot effectively review the evidence and the court's reasoning to determine whether the court's conclusions were clearly against the preponderance of the evidence. *See Scott, supra*. We therefore grant the State's motion to reverse and remand the case to the circuit court for written findings of fact and conclusions of law in accordance with Rule 37.3(c). *See Campbell, supra*.

Motion granted; reversed and remanded.