

Cite as 2023 Ark. App. 505

ARKANSAS COURT OF APPEALS

No. CR-23-191

GENE JACKSON

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered November 1, 2023

APPEAL FROM THE BENTON
COUNTY CIRCUIT COURT
[NO. 04CR-21-2470]

HONORABLE BRAD KARREN,
JUDGE

MOTION TO EXTEND DEADLINE
TO FILE SUPPLEMENTAL RECORD
GRANTED; SHOW-CAUSE ORDER
ISSUED

PER CURIAM

Gene Jackson moves this court to enforce a writ of certiorari previously issued on April 12, 2023, to Sharon L. Fields, who is the official court reporter for Circuit Judge Brad Karren. This is the fifth time Jackson has sought this court's intervention to procure a transcript of the circuit court proceedings and complete the record for his criminal appeal. Given Ms. Fields's failure to comply with the original writ and the subsequent extensions, we order her to appear before this court on December 5, 2023, at 10:00 a.m., in the courtroom of the Arkansas Supreme Court and Court of Appeals (Justice Building, 625 Marshall Street, Little Rock, Arkansas 72201) and show cause why she should not be held in contempt for failing to comply with this court's original writ of certiorari and numerous extensions.

On September 6, 2022, the Benton County Circuit Court ordered the appellate record to be prepared at no cost to Jackson. On September 9, Jackson filed a “Notice of Appeal and Designation of Record” with the circuit court. On November 29, the circuit court extended the time for filing the record until March 21, 2023. On March 21, Jackson simultaneously filed a partial record (pleadings) in this court and petitioned for a writ of certiorari directing Ms. Fields to complete the transcript portion of the record pursuant to Rule 3-5 of the Rules of the Arkansas Supreme Court and Court of Appeals. We granted the petition on April 12 and ordered Ms. Fields to complete her task by May 12.

On May 11, at Ms. Fields’s request, Jackson filed another motion and asked for an additional thirty days for the court reporter to complete her work. We granted that motion and moved the deadline to file the transcript to June 30. On June 26, and again at Ms. Fields’s request, Jackson moved for another extension. We granted that motion and moved the deadline to August 18. On August 18, Jackson again moved for more time to complete the record, and we extended the time to October 6. We also warned that the failure to timely return the writ could result in a show-cause order. Then, on October 6, Jackson requested another extension. We grant the extension, and the transcript is now due on December 1, 2023. It is also time for a show-cause order.

Ms. Fields has repeatedly failed to comply with the original writ of certiorari we issued in mid-April and the many extensions given to her since. The designated transcript in a criminal appeal has been unavailable to Jackson for over six months in this court alone, and it has been more than one year since Jackson filed his notice of appeal. That is an

unacceptable delay and prejudices the administration of justice. Therefore, good cause exists for this show-cause order. See *James Tree & Crane Serv., Inc. v. Fought*, 2015 Ark. 6; *Cuevas-Flores v. State*, 2023 Ark. App. 347; *Ark. Blue Cross & Blue Shield v. Freeway Surgery Ctr.*, 2023 Ark. App. 25; *Woolford v. State*, 2022 Ark. App. 463.

SHARON L. FIELDS IS FURTHER NOTIFIED that her failure to appear on December 5, 2023, at 10:00 a.m. could result in the issuance of a bench warrant for her arrest with directions to the appropriate law enforcement authority to arrange for her delivery to this court so a show-cause hearing may be held.

Motion to extend deadline to file supplemental record granted; show-cause order issued.