

Cite as 2024 Ark. App. 22
ARKANSAS COURT OF APPEALS

DIVISION II
No. CR-23-288

CHRISTON JACE HOUSTON APPELLANT	Opinion Delivered January 17, 2024 APPEAL FROM THE SALINE COUNTY CIRCUIT COURT [NO. 63CR-21-802]
V.	HONORABLE KEN CASADY, JUDGE
STATE OF ARKANSAS APPELLEE	REMANDED TO SETTLE AND SUPPLEMENT THE RECORD; REBRIEFING ORDERED; MOTION TO WITHDRAW DENIED WITHOUT PREJUDICE

RITA W. GRUBER, Judge

Christon Jace Houston appeals an order of the Saline County Circuit Court revoking his probation and sentencing him to sixty months in the Arkansas Department of Corrections.¹ Pursuant to Rule 4-3(b)(1) (2023) of the Rules of the Arkansas Supreme Court and Court of Appeals and *Anders v. California*, 386 U.S. 738 (1967), Houston’s counsel has filed a no-merit brief and a motion to withdraw asserting that there is no issue of arguable merit to raise on appeal. Houston was provided with a copy of his counsel’s brief and notified that he had thirty days to raise any points of appeal, which he did not do. Thus, the State

¹This is a companion case to another criminal-revocation case, No. 63CR-21-453, in which Houston had also been placed on probation. The circuit court held a combined revocation hearing in both cases but issued separate sentencing orders in each case revoking Houston’s probation. Houston has filed separate appeals, and today we hand down opinions in both. See *Houston v. State*, 2024 Ark. App. 21.

filed no reply brief. We remand the case to the circuit court to settle and supplement the record because we have not been provided with a complete record.

This record suffers from the same defect as that in the companion case we also hand down today; thus, we find it unnecessary to restate it herein. *See Raino v. State*, 2021 Ark. App. 337, at 1. Accordingly, for the reasons set forth in companion case No. 23CR-21-453, we remand this case for the record to be settled and supplemented within thirty days. After counsel has filed a substituted brief, which must take place within thirty days after supplementation of the record, our clerk will forward counsel's motion and substituted brief to Houston, and he will have thirty days to raise any pro se points, should he choose to do so. The State will likewise be given an opportunity to file a reply brief in light of the supplemental record and in the event Houston chooses to raise pro se points.

Remanded to settle and supplement the record; rebriefing ordered; motion to withdraw denied without prejudice.

ABRAMSON and THYER, JJ., agree.

Jones Law Firm, by: *F. Parker Jones III*, for appellant.

One brief only.