

SUPREME COURT OF ARKANSAS

No. 09-914

ROBERT L. INGOLD

APPELLANT

v.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered December 3, 2009

APPELLEE’S MOTION TO DISMISS APPEAL [CIRCUIT COURT OF CHICOT COUNTY, CV 2009-89, HON. ROBERT BYNUM GIBSON, JUDGE]

MOTION GRANTED; APPEAL DISMISSED.

PER CURIAM

Appellant Robert L. Ingold lodged an appeal in this court from the denial on July 20, 2009, of his request to proceed in forma pauperis in the Circuit Court of Chicot County. The request pertained to a pro se “petition for declaratory judgment and injunctive relief via writ of mandamus” filed by appellant in that court on June 18, 2009. Appellant lodged an appeal here from the order. Now before us is a motion filed by the appellee State asking that the appeal be dismissed for failure to submit a brief.

Appellant was advised that his brief-in-chief was due here no later than September 22, 2009. He has not filed a brief nor has he sought leave to file a belated brief. The appellee’s motion is granted pursuant to Arkansas Supreme Court Rule 4-5 (2009). *See Pineda v. State*, 2009 Ark. 554 (per curiam); *see also Morris v. Norris*, 2009 Ark. 426 (per curiam).

Motion granted; appeal dismissed.