

# ARKANSAS SUPREME COURT

No. CR 08-1203

ZANE FAIR  
Appellant

v.

STATE OF ARKANSAS  
Appellee

Opinion Delivered      January 22, 2009

PRO SE PETITION FOR WRIT OF  
CERTIORARI [CIRCUIT COURT OF  
INDEPENDENCE COUNTY, CR 2007-  
214]

PETITION DENIED.

## PER CURIAM

Appellant Zane Fair filed a partial record in this court to appeal a judgment entered in Independence County Circuit Court reflecting that a jury found appellant guilty of two counts of criminal trespass and one count of terroristic threatening and imposed an aggregate sentence of one year and sixty days' imprisonment. Appellant filed a petition in which he sought a writ of certiorari to bring up the transcribed portion of the proceedings in order to complete the record. We could not determine from the notice of appeal whether arrangements were in place to pay for the costs of the transcript, and the partial record included a certification from the court reporter indicating that arrangements had not been made to pay for the costs. We declined to issue the writ, but allowed appellant to resubmit his request, along with appropriate verification that arrangements have been made to pay the costs of the transcript, within thirty days of the date of the opinion. *Fair v. State*, CR 08-1203 (Ark. Dec. 11, 2008) (per curiam).

Appellant has now resubmitted his request for a writ of certiorari, along with his statement that he has made arrangements to pay the cost of the transcripts, and that he has the ability to and will

pay those costs. In that statement, appellant does not, however, indicate that he has placed a deposit with the court reporter, or provide a statement from the court reporter verifying that arrangements are indeed now in place.<sup>1</sup> We therefore again deny the petition that is before us. We do so without prejudice to the extent that appellant may again file a petition for writ of certiorari, provided that he submits the petition with a statement from the court reporter regarding the arrangements to pay for the costs of the transcripts, a copy of a receipt showing that a deposit has been placed with the reporter for the transcripts, or other acceptable evidence to show that the previously omitted arrangements have now been made. An appropriate submission must be filed with this court within fifteen days of the date of this opinion, and any submission that fails to comply with the requirements set forth in this opinion will be denied with prejudice.

Petition denied.

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<sup>1</sup> In a letter to one of our staff attorneys, appellant does indicate that he has forwarded a deposit to the circuit clerk, but he also indicates that he has not received confirmation that the deposit was received or that the required arrangements are now in place.