

**SUPREME COURT OF ARKANSAS**

No. CR10-120

ARKANSAS PUBLIC DEFENDER  
COMMISSION

PETITIONER

V.

PULASKI COUNTY CIRCUIT COURT,  
HON. HERBERT T. WRIGHT, JR.,  
CIRCUIT JUDGE, ABDULHAKIM  
MUHAMMAD

RESPONDENTS

**Opinion Delivered February 25, 2010**

MOTIONS FOR STAY; EXPEDITED  
BRIEFING AND CONSIDERATION;  
TO JOIN INDISPENSABLE PARTIES

MOTION FOR STAY GRANTED;  
MOTION FOR EXPEDITED  
BRIEFING AND CONSIDERATION  
GRANTED; MOTION TO JOIN  
INDISPENSABLE PARTIES DENIED  
WITHOUT PREJUDICE.

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**PER CURIAM**

This case arises from an order of the Pulaski County Circuit Court ordering the Arkansas Public Defender Commission (APDC) to pay expenses associated with the defense of Abdulhakim Muhammad, a capital-murder defendant, who is represented by retained counsel. The decision of the circuit court was announced from the bench on January 11, 2010, and entered by order on January 21, 2010. On that same day, the circuit court denied APDC's motion for reconsideration. APDC filed a "Notice of Appeal and Intent to Petition for Writs of Prohibition and Certiorari" on January 22, 2010, submitting that the matter is cognizable as both an appeal and an extraordinary writ.

On February 4, 2010, APDC filed a "Motion to Stay the Circuit Court's Order" requiring it to pay defense expenses and a "Motion for Expedited Briefing and



Cite as 2010 Ark. 100

Consideration.” On February 9, 2010, APDC filed a “Pro Forma Petition for Writs of Prohibition and Certiorari.” Counsel for Defendant Muhammad filed a “Response in Opposition” to APDC’s “Motion for Expedited Briefing and Consideration” and “Motion for Stay” on February 10, 2010. On that same day, counsel for Defendant Muhammad filed a “Motion to Join Indispensable Parties.” APDC filed a response to that motion on February 22, 2010.

To fully examine the procedural and substantive issues presented by the parties, this court finds it necessary for the parties to brief those issues. Moreover, Muhammad’s trial is set for June 2010. Therefore, we grant APDC’s motions to stay and expedite. We direct the clerk of this court to set the briefing schedule for this appeal with appellant’s brief due fifteen days from the date of this per curiam, appellees’ response brief due fifteen days later, and any reply brief due five days thereafter. We deny Muhammad’s Motion to Join Indispensable Parties without prejudice.

Motion for stay granted; motion for expedited briefing and consideration granted; motion to join indispensable parties denied without prejudice.

*Jeff Rosenzweig*, for petitioner.

*Claiborne H. Ferguson*, for respondent Pulaski County Circuit Court, Hon. Herbert T. Wright, Jr., Circuit Judge.

*Erin Cassinelli Couch*, for respondent Abdulhakim Muhammad.