

ARKANSAS SUPREME COURT

No. CR 08-762

LEE MARK HARRIS
Appellant

v.

STATE OF ARKANSAS
Appellee

Opinion Delivered January 22, 2009

PRO SE MOTION FOR TRANSCRIPT
[CIRCUIT COURT OF DESHA
COUNTY, CR 2006-126]

MOTION DENIED.

PER CURIAM

In 2007, a jury convicted appellant Lee Mark Harris on a charge of possession of cocaine with intent to deliver. This court granted a motion by appellant to proceed with an appeal of the judgment, although no record had been lodged within the required time. *Harris v. State*, CR 08-762 (Ark. Oct. 2, 2008) (per curiam). In that order, we directed appellant's retained counsel, Mr. Don Warren, to proceed with the appeal. Appellant, acting pro se, has now filed a motion seeking a copy of the transcript at public expense.

An appellant is not entitled to accept appointment of counsel to represent him, and also proceed pro se. *Hamilton v. State*, 348 Ark. 532, 74 S.W.3d 615 (2002). Moreover, this court will not permit an appellant to compete with his attorney to be heard in an appeal. *Franklin v. State*, 327 Ark. 537, 939 S.W.2d 836 (1997) (per curiam); see also *Monts v. Lessenberry*, 305 Ark. 202, 806 S.W.2d 379 (1991) (per curiam).

Appellant is represented by counsel. We will not, therefore, consider the merits of appellant's pro se motion. Accordingly, we deny the motion.

Motion denied.