

WHELEHON & PEPPER v. STATE.

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343 S. W. 2d 563

Opinion delivered March 6, 1961.

CRIMINAL LAW — APPELLATE REVIEW IN ABSENCE OF MOTION FOR NEW TRIAL.—Where the record contains no motion for a new trial, review on appeal is limited to error appearing upon the face of the record.

Appeal from Greene Circuit Court; *H. G. Partlow*, Judge; affirmed.

No brief filed for appellant.

J. Frank Holt, Attorney General, by *Jack L. Lessenberry*, Asst. Attorney General.

GEORGE ROSE SMITH, J. The two appellants were each convicted of burglary and grand larceny and were sentenced to six years imprisonment upon each charge, the sentences to run consecutively. The record contains no motion for a new trial; so our review is limited to error appearing upon the face of the record. *Holliman v. State*, 213 Ark. 876, 213 S. W. 2d 617. We have examined the record proper and find it to be free from error.

Affirmed.