

## Kenneth DOKES v. STATE of Arkansas

CR 89-14

779 S.W.2d 182

Supreme Court of Arkansas  
Opinion delivered November 13, 1989

CRIMINAL PROCEDURE — POSTCONVICTION RELIEF — MOTION TO AMEND STRICKEN BECAUSE NO GOOD CAUSE WAS SHOWN TO DEVIATE FROM RULE THAT SUCH PETITIONS CANNOT EXCEED TEN PAGES. — Where petitioner's original petition was eight pages, his amended petition was accompanied by a twenty-eight page brief in support of the petition, and he has shown no reason why any of the grounds presented could not have been included in the original petition, petitioner has failed to show any good cause to warrant deviation from the rule that provides that Rule 37 petitions cannot exceed ten pages.

Respondent's Motion to Strike Petitioner's Motion to Amend Pursuant to A.R.Cr.P. Rule 37.2; granted.

*Petitioner, pro se.*

*Steve Clark, Att'y Gen., by: Clint Miller, Asst. Att'y Gen.,  
for respondent.*

PER CURIAM. [1] In the motion before the court the state asks that we strike a *pro se* motion filed by petitioner Kenneth Dokes to amend his Rule 37 petition and a twenty-eight page brief in support of that motion. We grant the motion because petitioner Dokes has not shown good cause to warrant a deviation from our rule which provides that Rule 37 petitions cannot exceed ten pages. *See Maulding v. State*, 299 Ark. 570, 776 S.W.2d 339 (1989). The petitioner's original petition was eight pages in length. He has not shown that any of the grounds presented could not have been included in the original petition. Due process of law requires an opportunity to have one's case heard, not an endless variety of unlimited petitions. The motion and brief submitted by the petitioner appear to be a mere ploy to circumvent the rules of this court.

Motion granted.

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