

Walter MCCULLOUGH v. Larry NORRIS, Director,
Arkansas Department of Correction

00-732

37 S.W.3d 575

Supreme Court of Arkansas
Opinion delivered January 18, 2001

APPEAL & ERROR — *PRO SE* MOTION TO FILE BELATED REPLY BRIEF —
DENIED. — The supreme court denied appellant's *pro se* motion to
file a belated reply brief where appellant placed the fault for the
untimely tender of the reply brief on the Arkansas Department of
Correction but did not explain why, if he was aware that the brief
could not be filed in a timely manner, he failed to seek an extension
of time before the brief was due, and where appellant did not
contend that there was any specific issue to be addressed in the reply
brief if it were accepted late.

Pro se Motion to File Belated Reply Brief; denied.

Appellant, pro se.

No response.

PER CURIAM. Walter McCullough has lodged an appeal in
this court from an order of the Circuit Court of Jefferson
County denying a petition for declaratory judgment in a civil

matter. Appellant McCullough filed the appellant's brief-in-chief in a timely manner but tendered only one copy of his reply brief eleven days after it was due for filing. (This court requires tender of seventeen copies of a brief.) Twelve days after the copy of the reply brief was returned, appellant McCullough filed the instant motion for leave to file a belated reply brief.

[1] The motion is denied. Appellant places the fault for the untimely tender of the reply brief on the Arkansas Department of Correction, but he does not explain why he failed to seek an extension of time before the brief was due if he was aware that it could not be filed in a timely manner. Moreover, appellant does not contend that there is any specific issue to be addressed in the reply brief if it were accepted late.

Motion denied.
