

Jennifer THOMPSON, A Minor, by Dwight Thompson and
Debbie Her Natural Guardians and Next Friends v. The
Hon. Harold S. ERWIN, Circuit Judge of Randolph
County, Arkansas

92-513

832 S.W.2d 854

Supreme Court of Arkansas
Opinion delivered July 6, 1992

1. **APPEAL & ERROR — DENIAL OF ABBREVIATED BRIEFING SCHEDULE.** — Where the matter was already expedited because it was a mandamus action, and where the motion was not filed until well into the briefing schedule, it was impossible to accelerate the matter more.
2. **APPEAL & ERROR — ACCELERATION OF PENDING CASE ALONG WITH MANDAMUS ACTION.** — Where the state, in its response to the mandamus petition, stated an interlocutory appeal in another case was also pending and described how that was relevant to this action, the appellate court expedited the other case and ordered both cases be submitted at the same time.

Motion for an Expedited Schedule; denied.

James Mackey Luffman, for appellant.

Winston Bryant, Att'y Gen., by: *Jack Gillean*, Asst. Att'y Gen., for appellee.

[1] **PER CURIAM.** Petitioner moves for an abbreviated briefing schedule. Because this is a mandamus action, we already have expedited this matter. On May 1, 1992, petitioner filed this original action, and the state filed its response ten days later. The record required supplementation which was granted on June 8, 1992. Petitioner filed her brief on June 22, 1992, and the state's

brief is due on July 22, 1992. Petitioner's reply brief, if any, will be due on or before August 6, 1992. Petitioner's motion to expedite was not filed until June 25, 1992, and at this stage of the briefing schedule, it is impossible to accelerate this matter more than it already has been. Submission of the case also will be advanced.

[2] The state in its response to the mandamus petition herein states an interlocutory appeal in the case of *Joseph Wicker v. State*, No. 92-245, is also pending and describes how that matter might be relevant to this action. Accordingly, we will also expedite the *Wicker* case, so both cases are to be submitted at the same time.
