

Thomas GRISWOLD v. A.L. LOCKHART, Director,
Arkansas Department of Correction

91-342

822 S.W.2d 388

Supreme Court of Arkansas
Opinion delivered February 3, 1992

APPEAL & ERROR — MOTION TO FILE HANDWRITTEN BRIEF — FAILURE TO MAKE SHOWING THAT APPEAL HAS SUBSTANTIVE MERIT. — Where appellant appealed the denial of a petition for habeas corpus based on allegations that appellant was charged by information rather than indictment and that he was never afforded a “first appearance” before being bound over to circuit court, his motion to file a handwritten brief was denied because he failed to make a substantial showing of merit since the issues raised were not cognizable by habeas corpus.

Motion to File Handwritten Brief; denied.

Appellant, pro se.

Winston Bryant, Att’y Gen., by: *Brad Newman*, Asst. Att’y Gen., for appellee.

[1] PER CURIAM. Appellant seeks permission to file a handwritten brief which we will entertain upon a substantial showing of merit. *Patterson v. State*, 289 Ark. 564, 712 S.W.2d 922 (1986). This is an appeal from a denial of a petition for habeas corpus based on allegations that appellant was charged by information rather than indictment and that he was never afforded a “first appearance” before being bound over to circuit court. However, these are not matters cognizable by habeas

corpus and, accordingly, appellant has failed to make a substantial showing of merit. Motion denied.
