

Ronita Faith BELL *v.* STATE of Arkansas

CR 97-1004

961 S.W.2d 36

Supreme Court of Arkansas
Opinion delivered March 26, 1998

1. APPEAL & ERROR — BRIEF FILED AFTER FINAL EXTENSION DEADLINE — BRIEF ACCEPTED FOR FILING. — Where the third and final extension for filing the brief was granted on January 15, 1998, and the brief was due on February 27, 1998, the supreme court accepted appellant's brief for filing, even though it was not tendered to the court until March 16, 1998.
2. APPEAL & ERROR — EXTENSIONS TO FILE BRIEF — EXTENSIONS NOT GRANTED AFTER FINAL EXTENSION GIVEN. — The supreme court does not grant extensions as a matter of course after a final extension has been given.
3. ATTORNEY & CLIENT — BRIEF NOT TIMELY FILED — SHOW-CAUSE ORDER ISSUED. — Appellant's attorney was ordered to appear before the supreme court to show cause why he should not be held in contempt for failing to file appellant's brief in a timely manner.

Appellant's Brief Accepted for Filing; Show-Cause Order Issued.

Steve Kirk, for appellant.

No response.

PER CURIAM. Appellant Ronita Faith Bell, by her attorney, Steve Kirk, has two motions pending for an extension of time to file her brief. Prior to these motions, Bell through counsel, Steve Kirk, filed a motion for an extension to file her brief on October 7, 1997, and it was granted until November 7, 1997. She then asked for a second extension on November 6, 1997, and it was granted until December 22, 1997. She next moved for a third extension of time and to supplement the record on December 22, 1997, and this was granted on January 15, 1998. This was described as a "final extension." We stated that the brief would be due 14 days after the supplement to the transcript was filed. The supplement was filed on February 13, 1998, which made Bell's brief due on February 27, 1998.

[1] The first of the two current motions for an extension was filed on February 27, 1998, and it asked for an extension until March 6, 1998. The second motion was filed on March 6, 1998, and requests an extension until March 16, 1998. Each motion asks that it be deemed a "final extension." Bell's brief was tendered to this court on March 16, 1998. We accept the brief for filing.

[2] We do not grant extensions as a matter of course after a final extension has been given. The final extension occurred on January 15, 1998, with the brief due on February 27, 1998.

[3] Attorney Steve Kirk is ordered to appear at 9:00 a.m. on Thursday, April 9, 1998, to show cause why he should not be held in contempt for failing to file appellant's brief in a timely manner.