

Charles Ray BOLTON *v.* STATE of Arkansas

CR 00-881

26 S.W.3d 783

Supreme Court of Arkansas  
Opinion delivered September 14, 2000

APPEAL & ERROR — MOTION TO BE RELIEVED AS ATTORNEY FOR APPELLANT — GRANTED. — Where a state-salaried, part-time public defender asserted that he would not be compensated by the Arkansas Public Defender Commission for work performed in the appeal of this matter and further asserted that he was ineligible for compensation by the supreme court pursuant to *Rushing v. State*, 340 Ark. 84, 8 S.W.3d 489 (2000), the supreme court granted counsel's motion to be relieved for good cause shown and substituted another attorney.

Motion to be Relieved as Attorney for Appellant; granted.

*Joseph D. Hughes & Assoc., P.A.*, by: *Joseph D. Hughes*, for appellant.

No response.

**P**ER CURIAM. Joseph D. Hughes, a state-salaried, part-time public defender for the Second Judicial District, Greene County, Arkansas, was appointed by the trial court to represent appellant Charles Ray Bolton, an indigent defendant, in this criminal case. Appellant was convicted of manufacturing a controlled substance and other drug-related offenses and sentenced to 20 years in prison. A notice of appeal from the judgment of conviction was timely filed and the record has been lodged with our clerk.

[1] Mr. Hughes now asks this court to relieve him as counsel for Bolton and to appoint new counsel for Bolton in this criminal appeal. In support of his motion to be relieved, Mr. Hughes asserts that he will not be compensated by the Arkansas Public Defender Commission for work performed in the appeal of this matter. He further asserts that he is ineligible for compensation by this court pursuant to our recent opinion in *Rushing v. State*, 340 Ark. 84, 8 S.W.3d 489 (2000). Under these circumstances, we grant Mr. Hughes's motion to be relieved for good cause shown. See *Tester v. State*, 341 Ark. 281, 16 S.W.3d 227 (2000) (*per curiam*). Greg Knutson will be substituted as attorney for appellant Charles Ray Bolton.