

Gary Lee DAYBERRY *v.* STATE of Arkansas

CR 02-301

86 S.W.3d 855

Supreme Court of Arkansas
Opinion delivered October 10, 2002

ATTORNEY & CLIENT — MOTION TO BE RELIEVED AS COUNSEL GRANTED — SUBSTITUTE COUNSEL APPOINTED. — The supreme court granted appellant's motion to be relieved as counsel and appointed substitute counsel in the matter.

Motion to Be Relieved as Counsel; granted.

Chris Flanagin, for appellant.

No response.

PER CURIAM. Attorney Chris Flanagin was appointed on approximately September 12, 2002 to represent appellant, Gary Lee Dayberry, on his appeal. On September 16, 2002 Flannigan was hired as Jackson County Deputy Prosecutor, 3rd Judicial Circuit, presenting a conflict of interest in his representation of appellant. Due to his subsequent employment, Flanagin filed a motion with this court to be relieved as counsel, to substitute counsel and to stay the briefing schedule.

[1] We grant appellant's motion to be relieved as counsel. We appoint attorney James Hensley as substitute counsel in this matter and direct our clerk to remove Chris Flanagin's name as attorney of record in this case. The new briefing schedule will be set by our clerk.

Motions granted.