

SUPREME COURT OF ARKANSAS

No. CR12-887

GARLAND JAMES GREEN
APPELLANT

v.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered March 28, 2013

PRO SE MOTION TO SUPPLEMENT
RECORD [PULASKI COUNTY
CIRCUIT COURT, 60CR 08-4448]MOTION MOOT.

PER CURIAM

Appellant Garland James Green has lodged a pro se appeal in this court from the order that denied his pro se petition for postconviction relief filed pursuant to Arkansas Criminal Procedure Rule 37.1 (2012). He now seeks to supplement the record on appeal with the transcript lodged in the direct appeal of his conviction in the case.

The motion is moot because it is not necessary for an appellant in a postconviction appeal to seek leave to add the direct appeal record in the same criminal case to the record lodged in the postconviction appeal. This court has consistently held that the record of an appellant's trial that was filed with this court is considered by this court in a postconviction appeal without need to supplement the record. *Lowe v. State*, 2012 Ark. 185, ___ S.W.3d ___ (per curiam) (citing *Drymon v. State*, 327 Ark. 375, 938 S.W.2d 825 (1997) (per curiam)); *Rutledge v. State*, 361 Ark. 229, 205 S.W.3d 773 (2005) (per curiam).

Motion moot.

Garland Green, pro se appellant.

Dustin McDaniel, Att'y Gen., by: *LeaAnn J. Adams*, Ass't Att'y Gen., for appellee.