

SUPREME COURT OF ARKANSAS

No. CR-13-438

EDWARD THOMPSON III
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE**Opinion Delivered** June 20, 2013MOTION TO BE RELIEVED AS
ATTORNEY FOR APPELLANTGRANTED.**PER CURIAM**

Appellant, Edward Thompson III, was convicted by a Pulaski County Circuit Court jury of first-degree murder, aggravated robbery, felony theft of property and misdemeanor theft of property. Thompson was sentenced to a term of life imprisonment for the first-degree murder conviction, fifty years imprisonment for the aggravated robbery, forty years for the felony theft of property and one year for the misdemeanor theft of property. An appeal from the judgment has been lodged in this court. Thompson is represented on appeal by Julia B. Jackson, a full-time public defender. Ms. Jackson now asks that she be relieved as counsel on the ground that she is ineligible for compensation for services as appellate counsel.

Arkansas Code Annotated section 19-4-1604(b)(2)(B) (Repl. 2007) provides that persons employed as full-time public defenders who are not provided a state-funded secretary are eligible to seek compensation for appellate work. Counsel here affirms that she is a full-time public defender with a full-time, state-funded secretary. Under these circumstances, she

is not entitled to be paid for services in this appeal, and her request to be relieved is well founded. *See Rhodes v. State*, 2009 Ark. 138, 297 S.W.3d 551 (per curiam).

Therefore, we grant Ms. Jackson's motion to be relieved, and we appoint attorney Patrick Benca to represent the appellant. Our clerk is directed to set a new briefing schedule for the appeal.

Motion Granted.

Julia B. Jackson, Pulaski County Conflicts Public Defender, for appellant.

No response.