

SUPREME COURT OF ARKANSAS

No. CR-13-496

JAMES FLOWERS

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered OCTOBER 10, 2013

MOTION TO DISMISS APPEAL

GRANTED.**PER CURIAM**

James Flowers appealed his convictions for capital murder and aggravated robbery, for which he was sentenced concurrently to life without parole and 480 months' imprisonment. This court affirmed. *Flowers v. State*, 373 Ark. 119, 282 S.W.3d 790 (2008). Flowers subsequently filed a petition for postconviction relief in the trial court pursuant to Rule 37 of the Arkansas Rules of Criminal Procedure. The trial court held a hearing and then denied the petition by order entered April 29, 2013. Counsel for Flowers, Mr. James P. Clouette, filed a notice of appeal and then, on June 6, 2013, lodged the record on appeal with this court. A brief was due to be filed on Flowers's behalf on July 16, 2013. No brief has been filed, nor has any request for extension of time been filed.

The State has now moved for dismissal of Flowers's appeal from his postconviction proceedings due to the failure to file a brief. No response to the State's motion has been filed. The State's motion to dismiss the appeal is therefore granted.

There is no explanation on the record before us for counsel's failure to file a brief and abandonment of this appeal after having lodged the record in this court. We therefore forward a copy of this opinion to this court's Committee on Professional Conduct.