

SUPREME COURT OF ARKANSAS

No. CR-14-59

BRYANT E. TURNER

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered February 20, 2014

MOTION TO BE RELIEVED AS
ATTORNEY FOR APPELLANT

MOTION GRANTED.

PER CURIAM

Appellant, Bryant E. Turner, was convicted by a Faulkner County Circuit Court jury of aggravated robbery and theft of property with a firearm enhancement and was sentenced to life imprisonment. An appeal from the judgment has been lodged in this court. Turner is represented on appeal by Karen Walker, a full-time public defender. Ms. Walker 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 payment 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. Walker's motion to be relieved, and we appoint attorney Brianne Franks to represent the appellant. Our clerk is directed to set a new briefing schedule for the appeal.

Motion granted.