

Cite as 2014 Ark. 135

SUPREME COURT OF ARKANSAS

No. CV-13-818

DOYLE ANTHONY JONES
APPELLANT

V.

ARKANSAS DEPARTMENT OF
CORRECTION SEX OFFENDER
SCREENING & ASSESSMENT
COMMITTEE

APPELLEE

Opinion Delivered: March 20, 2014

PRO SE MOTIONS FOR EXTENSION
OF TIME TO FILE BRIEF
[JEFFERSON COUNTY CIRCUIT
COURT, NO. 35CV-13-310]

HONORABLE JODI RAINES DENNIS,
JUDGE

APPEAL DISMISSED; MOTIONS
MOOT.

PER CURIAM

Appellant Doyle Anthony Jones is an inmate incarcerated in the Arkansas Department of Correction (“ADC”). On February 19, 2013, the Arkansas Department of Correction Sex Offender Screening & Risk Assessment Program (“SOSRA”) conducted a community-notification risk assessment pursuant to the Sex Offender Registration Act of 1997, codified at Arkansas Code Annotated sections 12-12-901 to -923 (Repl. 1999 & Supp. 2005) (the “Registration Act”), and it assigned appellant a Community Notification Level 3. Appellant requested an administrative review, contending that the information relied on in the assessment was false and that the Registration Act was not in effect when he was sentenced. The Sex Offender Assessment Committee (“Committee”) upheld the Level 3 assessment, and appellant received notice of the administrative order on April 2, 2013. On June 20, 2013, appellant filed a petition for declaratory judgment and judicial review in the Jefferson County Circuit Court, seeking judicial review of his assessment by

the Committee. The circuit court dismissed the petition as untimely, and appellant lodged an appeal from that order in this court. Now before us are appellant's motions for extension of time to file his brief-in-chief.

As we find no merit to the appeal, the appeal is dismissed, and appellant's motions are moot. This court has consistently held that an appeal from the denial of postconviction relief will not be permitted to go forward where it is clear that appellant could not prevail. *Munson v. Ark. Dep't of Corr. Sex Offender Screening & Risk Assessment*, 369 Ark. 290, 253 S.W.3d 901 (2007). Appellant was required to file his petition within thirty days of his receipt of the final findings of the Committee. Ark. Code Ann. § 12-12-922(b)(7)(A)(ii); *see also Munson*, 369 Ark. 290, 253 S.W.3d 901. Because appellant's petition was filed more than thirty days after he received notice of the Committee's findings, the petition was not timely and the circuit court lacked jurisdiction to consider it. When the petition is not timely filed, this court will affirm dismissal of the petition. *Edwards v. State*, 2013 Ark. 434 (per curiam); *Newton v. Ark. Dep't of Corr. Sex Offender Screening & Risk Assessment Comm.*, 2011 Ark. 136 (per curiam). Because it is clear that appellant could not prevail on appeal, the appeal is dismissed, and appellant's motions are moot.

Appeal dismissed; motions moot.

Doyle Anthony Jones, pro se appellant.

No response.