

Cite as 2014 Ark. 437

SUPREME COURT OF ARKANSAS

No. CR-14-833

ROBERT HOLLAND

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered October 23, 2014

MOTION TO BE RELIEVED AS
ATTORNEY FOR APPELLANT AND
STAY OF BRIEFING SCHEDULEMOTION GRANTED.**PER CURIAM**

Appellant was found guilty of capital murder and was sentenced to death by lethal injection. An appeal from the judgment has been lodged in this court. Holland is represented by John W. Cone, a full-time public defender, who now asks that he be relieved as counsel on the ground that he 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 affirms that he is a full-time public defender with a full-time, state-funded secretary. Under these circumstances, he is not entitled to be paid for services in this appeal, and his request to be relieved is well founded. *See Williamson v. State*, 2013 Ark. 1 (per curiam).

We grant Cone's motion to be relieved, and we appoint Mr. Paul J. Teufel and Ms. Charlene Davidson Henry to represent Holland. Our clerk is directed to set a new briefing schedule for the appeal.