

SUPREME COURT OF ARKANSAS

No. CR 10-1036

CALVIN WASHINGTON,
APPELLANT,

VS.

STATE OF ARKANSAS,
APPELLEE,

Opinion Delivered November 4, 2010

MOTION TO WITHDRAW AS
ATTORNEY ON DIRECT APPEAL

GRANTED AND APPOINTMENT
MADE.

PER CURIAM

Mark S. Fraiser, a state-salaried, full-time public defender for the Eighteenth Judicial District, was appointed by the trial court to represent Appellant Calvin Washington, an indigent defendant, on the charge of capital murder. Following a trial, Washington was convicted of the charge and sentenced to life in prison without parole.

On October 8, 2010, Mr. Fraiser filed a motion to be relieved as attorney for Washington on appeal, pursuant to this court's holding in *Newman v. State*, 350 Ark. 265, 85 S.W.3d 883 (2002) (per curiam). He also submitted an affidavit stating that he does have a full-time, state-funded secretary, which would prevent him from receiving compensation for appellate work. See Ark. Code Ann. § 19-4-1604(b)(2)(B) (Supp. 2001). Accordingly, we grant Mr. Fraiser's motion to be relieved for good cause shown. See *Jones v. State*, 349 Ark. 734, 82 S.W.3d 827 (2002) (per curiam); *Williams v. State*, 347 Ark. 369, 65 S.W.3d 401 (2002) (per curiam).

Cite as 2010 Ark. 422

Mr. Dale Adams will be substituted as attorney for Washington in this matter.

Motion granted.