

SUPREME COURT OF ARKANSAS

No. CR02-811

RICKEY DALE NEWMAN
PETITIONER

V.

STATE OF ARKANSAS
RESPONDENT

Opinion Delivered January 14, 2010

APPLICATION FOR PERMISSION TO
BE APPOINTED AS COUNSEL;
MOTION TO WITHDRAW AS
COUNSEL

APPLICATION FOR PERMISSION TO
BE APPOINTED AS COUNSEL,
GRANTED IN PART, DENIED IN
PART; MOTION TO WITHDRAW AS
COUNSEL, MOOT.

PER CURIAM

Rickey Dale Newman moves this court to appoint attorney Julie Brain to represent him in proceedings before this court and the Crawford County Circuit Court. Ms. Brain is a licensed Arkansas attorney and qualified under Arkansas Rule of Civil Procedure 37.5 to represent a person under a sentence of death. She recently left a position with the Office of the Federal Defender for the Eastern and Western Districts of Arkansas to assume a new position with the Office of the Federal Defender for the District of Delaware.

We grant Newman’s motion and appoint attorney Brain of the Office of the Federal Defender for the District of Delaware to represent Newman in proceedings before this court and the Crawford County Circuit Court. However, the motion requesting that “the Delaware office be appointed” is denied.

CORBIN, J., would deny.

DANIELSON, J., would grant.

BOWEN, J., not participating.