

**SUPREME COURT OF ARKANSAS**

No. CR 08-665

DANNY LEE TEMPLE

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered April 15, 2010

APPEAL FROM THE CIRCUIT COURT  
OF BRADLEY COUNTY, CR 2007-97,  
HON. SAMUEL B. POPE, JUDGE;  
MOTION TO BE RELIEVED AS  
COUNSEL

AFFIRMED; MOTION GRANTED.

**PER CURIAM**

In 2008, appellant Danny Lee Temple entered a negotiated plea of guilty to one count of aggravated residential burglary and one count of rape. A jury sentenced him to life imprisonment on each of the two charges. Appellant timely filed a notice of appeal, and counsel has now filed a motion to be relieved and a no-merit brief pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Arkansas Supreme Court Rule 4-3(j)(1) (2008). Our clerk provided appellant with a copy of appellant's brief and motion as required by Rule 4-3(j), and appellant submitted no points for reversal.

An appeal may be taken after a guilty plea when it alleges evidentiary errors that arose after the plea and during the sentencing phase. *Johnson v. State*, 2010 Ark. 63. Counsel contends, and the State agrees, that there were no adverse rulings in this case from which to appeal. Our review of the record confirms that there were no objections to the evidence presented to the jury, and consequentially no adverse rulings. *See* Ark. Sup. Ct. R. 4-3(i) (2009). We further note



Cite as 2010 Ark. 176

that appellant's sentence on each charge was within the statutory range.

As we agree that an appeal is without merit, we affirm the judgment. Counsel's motion to be relieved is granted.

Affirmed; motion granted.

*Gary W. Potts*, for appellant.

*Dustin McDaniel*, Att'y Gen., by: *Laura Shue*, Ass't Att'y Gen., for appellee.