

SUPREME COURT OF ARKANSAS

No. CR 09-410

KITAKA LAUDERDALE,
APPELLANT,

VS.

STATE OF ARKANSAS,
APPELLEE,

Opinion Delivered October 22, 2009

MOTION FOR EXTENSION OF
TIME TO FILE RECORD AND/OR
FOR OTHER RELIEF

GRANTED; SHOW CAUSE ORDER
ISSUED.

PER CURIAM

Appellant, Kitaka Lauderdale, by his attorneys, W. Ray Nickle and Bill Stanley, has filed a motion for extension of time to file the record and/or for other relief. On April 20, 2009, Lauderdale filed a petition for writ of certiorari to complete the record, which this court granted. The writ was issued to the circuit clerk and court reporter, returnable on July 6, 2009. On July 6, 2009, Lauderdale filed a motion for extension of time to file the record and/or for other relief, and we granted a final extension, extending the writ to October 6, 2009. Lauderdale now brings the instant motion, filed October 6, 2009, and stating that, to date, counsel has received no response from the court reporter, Elvetta J. Stacy.

We find that the court reporter's failure to comply with the writ of certiorari is good cause to grant Lauderdale's motion, and the motion is, therefore, granted until such time as the court reporter complies with the writ of certiorari. In addition, we order Elvetta J. Stacy

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to appear before this court on Thursday, November 5, 2009, at 9:00 a.m. to show cause why she should not be held in contempt for her failure to comply with the writ of certiorari, as previously ordered.

ELVETTA J. STACY IS FURTHER NOTIFIED THAT HER FAILURE TO APPEAR ON NOVEMBER 5, 2009, COULD RESULT IN THE ISSUANCE OF A BENCH WARRANT FOR HER ARREST WITH DIRECTIONS TO THE APPROPRIATE LAW ENFORCEMENT AUTHORITY TO ARRANGE FOR HER DELIVERY TO THIS COURT SO A SHOW CAUSE HEARING CAN BE CONDUCTED AT THE EARLIEST POSSIBLE DATE.

Motion granted; show cause order issued.