

SUPREME COURT OF ARKANSAS

No. CR 09-649

CARL EDWARD WILLIS
Petitioner

v.

CIRCUIT CLERK OF SEBASTIAN
COUNTY, FORT SMITH DISTRICT
Respondent

Opinion Delivered October 22, 2009

PRO SE MOTION FOR RULE ON
CLERK OF THE ARKANSAS
SUPREME COURT [CIRCUIT COURT
OF SEBASTIAN COUNTY, FORT
SMITH DISTRICT, CR 2004-1041]

MOTION DENIED.

PER CURIAM

On March 16, 2009, petitioner Carl Edward Willis tendered to this court a pro se motion for rule on the Circuit Clerk of Sebastian County, Ft. Smith District, alleging that the circuit clerk had failed to provide him with certain certified documents that he had requested from her. As the motion pertained to the circuit clerk, and not the clerk of this court, it was returned to petitioner in accordance with our long-standing practice in such matters so he could proceed with it in circuit court.

Now before us is petitioner's pro se motion for rule on the clerk of this court, asking that we direct our clerk to file the motion here. The motion for rule on our clerk was not accompanied by a certified record of any proceeding in circuit court.

The motion is denied. The circuit court has jurisdiction to consider a claim that its clerk should perform a particular duty, such as provide a petitioner with certified copies of documents. Petitioner has failed to establish that there is any basis for this court to assume jurisdiction of the matter. Arkansas Supreme Court Rule 2-2 governing rules on clerk does not have within its purview claims that a circuit clerk has failed to perform a duty.

Cite as 2009 Ark. 515

Motion denied.