

Cite as 2009 Ark. 284 (unpublished)

ARKANSAS SUPREME COURT

No. CR 08-1164

CHRISTOPHER LEE DUNN
Appellant

v.

STATE OF ARKANSAS
Appellee

Opinion Delivered May 14, 2009

PRO SE MOTION FOR
RECONSIDERATION OF DISMISSAL
OF APPEAL [CIRCUIT COURT OF
GRANT COUNTY, CR 98-10, HON.
PHILLIP H. SHIRRON, JUDGE]

MOTION DENIED.

PER CURIAM

In 2008, appellant Christopher Lee Dunn filed a petition in the trial court for writ of habeas corpus under Act 1780 of 2001 Acts of Arkansas, codified as Arkansas Code Annotated §§ 16-112-201 to -208 (Repl. 2006). In 1998, appellant had entered guilty pleas to charges of capital murder and attempted capital murder and received an aggregate sentence of life imprisonment without parole. The trial court dismissed the Act 1780 petition and this court dismissed the appeal. *Dunn v. State*, CR 08-1164 (Ark. Feb. 26, 2009) (per curiam). Appellant has now filed a motion in which he requests reconsideration of that decision.

As he did in his petition under Act 1780, in his motion for reconsideration, appellant asserts that he was incompetent at the time of trial. He alleges that the judgment should be overturned on that basis, and now alleges that the incompetence continues because he was not treated for his condition. In the motion for reconsideration, he does not explain how the allegedly continuing incompetence contributed to the delay in bringing his petition for Act



Cite as 2009 Ark. 284 (unpublished)

1780 relief, or point to any basis in his petition for Act 1780 relief upon which the trial court could have found an allegation that the incompetence contributed to the delay.

Appellant's motion does not establish a basis to reconsider our holding that appellant's petition for Act 1780 relief did not state grounds to overcome the presumption of untimeliness under section 16-112-202(10). Because appellant has provided no basis for reconsideration, we deny the motion.

Motion denied.