

Cite as 2021 Ark. 82  
**SUPREME COURT OF ARKANSAS**  
No. CV-20-724

KENDRICK STORY		Opinion Delivered: April 15, 2021
	APPELLANT	
V.		PRO SE APPEAL FROM THE LINCOLN COUNTY CIRCUIT COURT; PRO SE MOTIONS FOR EXTENSION OF TIME TO FILE BRIEF AND FOR COPY OF RECORD ON APPEAL [NO. 40CV-20-115]
STATE OF ARKANSAS		
	APPELLEE	HONORABLE JODI RAINES DENNIS, JUDGE
		<u>APPEAL DISMISSED; MOTIONS MOOT.</u>

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RHONDA K. WOOD, Associate Justice

Kendrick Story entered a plea in the Columbia County Circuit Court to first-degree murder and aggravated robbery. The court sentenced him to two terms of 480 months' imprisonment in the Arkansas Department of Correction, to be served concurrently, and a suspended imposition of life imprisonment. Story then petitioned the Lincoln County Circuit Court to correct an alleged illegal sentence pursuant to Arkansas Code Annotated section 16-90-111 (Repl. 2016), now Rule 37.1 of the Arkansas Rules of Criminal Procedure. The circuit court denied and dismissed his petition for relief, and he appeals. Because the circuit court lacked jurisdiction to rule on the petition, this court lacks jurisdiction to hear the appeal. The appeal is therefore dismissed, rendering Story's motions moot.

Petitions for relief under Rule 37.1 of the Arkansas Rules of Criminal Procedure and Arkansas Code Annotated section 16-90-111 must be filed in the circuit court where the judgment of conviction was entered. Ark. R. Crim. P. 37.1(a); *Grant v. State*, 2020 Ark. 282. Story's petition clearly states that it is a petition to correct an illegal sentence from Columbia County. The claims revolve around the circuit court's sentencing Story to a longer term than the plea-agreement recommendation and other Rule 37.1 attacks. Because Story failed to proceed in the proper circuit court—the Columbia County Circuit Court—the Lincoln County Circuit Court lacked jurisdiction. When the circuit court lacks jurisdiction, this court also lacks jurisdiction. *Id.*; *see also Clark v. State*, 362 Ark. 545, 210 S.W.3d 59 (2005). Accordingly, we dismiss his appeal. His motions are thus rendered moot.

Appeal dismissed; motions moot.