

Cite as 2009 Ark. 426  
**ARKANSAS SUPREME COURT**  
No. 09-400

BRIAN L. MORRIS

APPELLANT

v.

LARRY NORRIS, DIRECTOR,  
ARKANSAS DEPARTMENT OF  
CORRECTION

APPELLEE

Opinion Delivered September 17, 2009

APPELLEE STATE'S MOTION TO  
DISMISS APPEAL [CIRCUIT COURT  
OF JEFFERSON COUNTY, CV 2009-  
151, HON. JODI RAINES DENNIS,  
JUDGE]

MOTION GRANTED; APPEAL  
DISMISSED.

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**PER CURIAM**

In 1999, appellant Brian L. Morris entered a plea of guilty to capital murder. He was sentenced to life imprisonment without parole.

In 2009, appellant, who was incarcerated in Jefferson County, filed a pro se petition for writ of habeas corpus in the circuit court in that county. The circuit court denied the petition without a hearing, and appellant has lodged a pro se appeal here from the order.

Appellant was advised that his brief-in-chief was due here May 27, 2009. He has not filed a brief nor has he sought leave to file a belated brief. The appellee now asks that the appeal be dismissed for appellant's failure to pursue the appeal. The motion is granted pursuant to Arkansas Supreme Court Rule 4-5.

Motion granted; appeal dismissed.

**No briefs filed.**