

Cite as 2016 Ark. 299

SUPREME COURT OF ARKANSAS

No. CR-16-588

LARRY LAVELL JONES

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered September 8, 2016

MOTION TO WITHDRAW AS
ATTORNEY ON DIRECT APPEAL

MOTION GRANTED.

PER CURIAM

Appellant Larry Lavell Jones entered a plea of guilty to the charges of rape and criminal attempt to commit murder in the first degree as a habitual offender. He was sentenced to life imprisonment and sixty years in the Arkansas Department of Correction. An appeal from the judgment has been lodged in this court. Jones is represented on appeal by Mark S. Fraiser. Fraiser now asks to be relieved as counsel on the ground that he is ineligible for compensation for services as appellate counsel.

Arkansas Code Annotated section 19-4-1604(b)(2)(B) (Repl. 2007) provides that persons employed as full-time public defenders who are not provided with a state-funded secretary are eligible to seek compensation for appellate work. Counsel affirms that he is a full-time public defender with a full-time, state-funded secretary. Under these circumstances, he is not entitled to payment for services in this appeal, and his request to be relieved is well-founded. See *Craig v. State*, 2012 Ark. 95 (per curiam). We therefore grant Fraiser's motion to be relieved. We appoint attorney Gregg Knutson to represent the appellant. Our clerk is

directed to set a new briefing schedule for the appeal.

Motion granted.