

**ARKANSAS COURT OF APPEALS**

DIVISION II  
 No. CR-13-860

TONYA RENEE GAINES

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered November 19, 2014

APPEAL FROM THE CRITTENDEN  
 COUNTY CIRCUIT COURT  
 [NO. CR-2008-1131]

HONORABLE RANDY  
 F. PHILHOURS

AFFIRMED; MOTION TO  
 WITHDRAW GRANTED

**BRANDON J. HARRISON, Judge**

Tonya Renee Gaines appeals from the order revoking her probation and sentencing her to twenty-four months in a Community Correction Center with ninety-six months' suspended imposition of sentence. Pursuant to *Anders v. California*, 368 U.S. 738 (1967) and Ark. Sup. Ct. R. 4-3(k)(1) (2013), Gaines's attorney has filed a no-merit brief and a motion to withdraw, addressing all of the adverse rulings made at the termination hearing, explaining why each adverse ruling is not a meritorious ground for reversal, and requesting to be relieved as counsel. Gaines was provided with a copy of her counsel's brief and motion and informed of her rights to file pro se points. She has not done so.

The test for filing a no-merit brief is not whether there is any reversible error, but rather whether an appeal would be wholly frivolous. *Tucker v. State*, 47 Ark. App. 96, 885

S.W.2d 904 (1994). We have reviewed the entire record and counsel's brief and conclude that Gaines's counsel has adequately explained why there is no meritorious issue on appeal. Therefore, pursuant to sections (a) and (b) of *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985), we issue this memorandum opinion granting counsel's motion to be relieved and affirming the court's revocation.

Affirmed; motion to withdraw granted.

WALMSLEY and GRUBER, JJ., agree.

*C. Brian Williams*, for appellant.

No response.