

Cite as 2010 Ark. App. 830

ARKANSAS COURT OF APPEALS

EN BANC

No. CACR 10-1145

JOE MCKINLEY JONES

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered DECEMBER 8, 2010APPEAL FROM THE SEBASTIAN
COUNTY CIRCUIT COURT,
FORT SMITH DISTRICT
[CR-2002-1140]HONORABLE STEVE TABOR,
JUDGERULING ON MOTION TO
WITHDRAW RESERVED**PER CURIAM**

Appellant Joe McKinley Jones has appealed from the revocation of his suspended sentence, which resulted in a twenty-seven-year prison term. The record was lodged on November 5, 2010, making appellant's brief due on December 15, 2010.

On the same day appellant's counsel tendered the record to the clerk of this court for filing, he filed a motion to withdraw as the attorney of record. In his motion, appellant's counsel stated that he represented appellant as a courtesy in the proceedings below, and that he was not paid for his services. Appellant's counsel has represented in his motion that he has provided appellant with the necessary forms to proceed as an indigent on appeal. Mr. Jones has yet to file anything with this court, although he proclaimed himself to be indigent in his

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pro se notice of appeal filed with the trial court.

We reserve ruling on counsel's motion to withdraw, and we grant leave for Mr. Jones to file an affidavit of indigency and motion for appointment of counsel within thirty days of this per curiam. The time for filing appellant's brief is stayed until receipt of Mr. Jones's affidavit and motion or the expiration of thirty days.