

## ARKANSAS COURT OF APPEALS

DIVISION II

No. CACR07-1166

ELLIOTT E. BAILEY,

APPELLANT

v.

STATE OF ARKANSAS,

APPELLEE

**Opinion Delivered** 25 JUNE 2008APPEAL FROM THE SEBASTIAN  
COUNTY CIRCUIT COURT  
[NO. CR-2007-11(A)]THE HONORABLE JAMES O.  
COX, JUDGEREBRIEFING ORDERED;  
MOTION TO WITHDRAW  
DENIED**D.P. MARSHALL JR., Judge**

A jury convicted Elliott E. Bailey of second-degree battery of a police officer and possession of cocaine. His lawyer has filed a no-merit brief pursuant to *Anders v. California*, 386 U.S. 738 (1967) and Arkansas Supreme Court Rule 4-3(j), explaining why all but one of the preserved arguments for reversal have no merit. Bailey did not file any pro se points. Bailey's lawyer also moves to withdraw.

We must order rebriefing. The governing rule requires counsel to list "all" adverse rulings and explain why each would not merit reversal. Ark. Sup. Ct. R. 4-3(j)(1). The precedent requires full compliance with the rule. *E.g.*, *Brady v. State*, 346 Ark. 298, 302, 57 S.W.3d 691, 694 (2001); *Brown v. State*, 85 Ark. App. 382, 393-94,

155 S.W.3d 22, 29 (2004). Counsel should file an updated brief within thirty days that abstracts the evidentiary objection made at record page 76 and addresses that objection in the argument. If counsel believes that it too presents no meritorious ground for reversal, then a new motion to withdraw would be proper.

Rebriefing ordered; motion to withdraw denied.

BIRD and GLOVER, JJ., agree.