

ARKANSAS COURT OF APPEALS
NOT DESIGNATED FOR PUBLICATION
JOHN MAUZY PITTMAN, CHIEF JUDGE

DIVISION I

CACR07-395

June 25, 2008

CORRIE DERELL THOMAS

APPELLANT

APPEAL FROM MISSISSIPPI
COUNTY CIRCUIT COURT [NO.
CR-05-218 AND CR-01-20]

V.

HON. VICTOR HILL,
JUDGE

STATE OF ARKANSAS

APPELLEE

MOTION TO WITHDRAW DENIED;
REBRIEFING ORDERED

Appellant's probation in two cases was revoked after the trial court found that appellant had violated the conditions of his release by being in a drinking establishment and committing battery. He was sentenced to ten years' imprisonment. Appellant's attorney has filed a motion to be relieved as counsel on the ground that the appeal is without merit. We deny the motion at this time and remand for rebriefing.

To withdraw as counsel for a defendant in a criminal case after a notice of appeal has been filed on the basis that an appeal is without merit, an attorney must comply with the requirements set by *Anders v. California*, 386 U.S. 738 (1967), and Arkansas Supreme Court Rule 4-3(j). The rule requires that such a motion to be relieved be accompanied by an abstract, addendum, and brief containing a list of all adverse rulings made by the circuit court on all objections, motions, and requests, and an explanation why there is no meritorious ground for reversal of each adverse ruling.

Appellant's attorney has not complied with the rule. The record, at page 71, contains an adverse ruling to an objection that has neither been abstracted nor discussed. We cannot affirm appellant's conviction in the absence of any discussion of an adverse ruling, *Brady v. State*, 346 Ark. 298, 57 S.W.3d 691 (2001), and consequently we must order rebriefing. See *id.*

Motion to withdraw denied; rebriefing ordered.

GLADWIN and MARSHALL, JJ., agree.