

ARKANSAS SUPREME COURT

No. CR 07-1051

GARY CRAWFORD
Appellant

v.

STATE OF ARKANSAS
Appellee

Opinion Delivered February 21, 2008

PRO SE MOTIONS FOR EXTENSION OF TIME TO FILE BRIEF AND TO DUPLICATE BRIEF AT PUBLIC EXPENSE [CIRCUIT COURT OF JACKSON COUNTY, CR 2003-91, HON. HAROLD ERWIN, JUDGE]

MOTION FOR EXTENSION OF TIME GRANTED; MOTION TO DUPLICATE BRIEF AT PUBLIC EXPENSE DENIED.

PER CURIAM

In 2004, appellant Gary Crawford was found guilty by a jury of rape and kidnapping and received an aggregate sentence of 336 months' imprisonment. The Arkansas Court of Appeals affirmed. *Crawford v. State*, CACR 04-1397 (Ark. App. Sept. 21, 2005). Subsequently, appellant filed in the trial court a verified pro se petition for postconviction relief pursuant to Ark. R. Crim. P. 37.1.¹ The trial court denied the petition without a hearing and appellant has lodged an appeal here from the order.

Appellant now seeks an extension of time to file his brief. As this is his first request for an extension of time, the motion is granted and the time to file the appellant's brief is extended to thirty days from the date of this opinion.

¹The trial court initially denied the petition as being untimely filed. We reversed the trial court's order and remanded the matter for consideration of the merits of the petition. *Crawford v. State*, CR 06-692 (Ark. Jan. 25, 2007) (per curiam).

Appellant additionally seeks duplication of his brief at public expense. There is no right under our rules or any constitutional provision to have a brief or a portion of a brief in a civil case duplicated at public expense. *See Maxie v. Gaines*, 317 Ark. 229, 876 S.W.2d 572 (1994) (per curiam). Nevertheless, in those cases where the indigent appellant makes a substantial showing in a motion that the appeal has merit and that he or she cannot provide the court with a sufficient number of copies of the brief, we will request that the Attorney General duplicate the brief. In his motion, appellant has failed to show substantial merit to the appeal, and thus has not stated any basis for the brief to be duplicated at public expense. Appellant may file the brief in the court on or before the due date provided that he files the proper number of copies.

Motion for extension of time granted; motion to duplicate brief at public expense denied.