

ARKANSAS SUPREME COURT

No. CR 07-906

CHARLES E. GOODWIN
Petitioner

v.

STATE OF ARKANSAS
Respondent

Opinion Delivered June 5, 2008

PRO SE MOTION FOR PHOTOCOPIES
AT PUBLIC EXPENSE [CIRCUIT
COURT OF OUACHITA COUNTY, CR
2006-153]

MOTION DENIED.

PER CURIAM

In 2007, petitioner Charles E. Goodwin, who is also known as Charles Edward Goodwin, was found guilty by a jury of attempted capital-felony murder with aggravated robbery as the underlying felony. He was sentenced as a habitual offender to life imprisonment for the attempted capital murder conviction. We affirmed. *Goodwin v. State*, ___ Ark. ___, ___ S.W.3d ___ (Mar. 20, 2008).

Petitioner, who contends that he is indigent, now seeks at public expense a photocopy of the appellate briefs in the direct appeal.¹ There are no grounds for the request beyond the assertion that the material is needed to understand and research the trial court's adverse rulings and to identify constitutional violations that may "further his case." He does not contend that he is currently involved in any specific proceeding that requires a copy of the appellate briefs.

A petitioner is not entitled to a free copy of material on file with this court unless he or she demonstrates some compelling need for certain documentary evidence to support an allegation

¹For clerical purposes, the motion has been filed under the docket number assigned to the direct appeal of the judgment.

contained in a timely petition for postconviction relief. *See Austin v. State*, 287 Ark. 256, 697 S.W.2d 914 (1985) (per curiam). Indigency alone does not entitle a petitioner to free photocopying. *Washington v. State*, 270 Ark. 840, 606 S.W.2d 365 (1980) (per curiam). As petitioner here has cited no specific reason for requiring the requested material and has failed to demonstrate that there is a postconviction remedy available to him, the motion is denied.

It should be noted that when an appeal has been lodged in this court, the appeal transcript and other material filed on appeal remain permanently on file with the clerk. Persons may review a transcript or other material in the clerk's office and photocopy all or portions of it. An incarcerated person desiring a photocopy of a transcript or other material on file may write this court, remit the photocopying fee and request that the copy be mailed to the prison. All persons, including prisoners, must bear the cost of photocopying. *Moore v. State*, 324 Ark. 453, 921 S.W.2d 606 (1996) (per curiam).

Motion denied.