

ARKANSAS SUPREME COURT

No. CR 08-162

SAMUEL L. HENDERSON
Appellant

v.

STATE OF ARKANSAS
Appellee

Opinion Delivered May 29, 2008

APPELLEE'S MOTION TO DISMISS
APPEAL [CIRCUIT COURT OF
GARLAND COUNTY, CR 99-570 I,
HON. JOHN H. WRIGHT, JUDGE]

MOTION GRANTED; APPEAL
DISMISSED.

PER CURIAM

In 2001, appellant Samuel L. Henderson was found guilty by a jury of first-degree murder and sentenced to life imprisonment. We affirmed. *Henderson v. State*, 349 Ark. 701, 80 S.W.3d 374 (2002). He subsequently filed in the trial court a pro se petition pursuant to Ark. R. Crim. P. 37.1. The petition was denied, and appellant lodged a pro se appeal from the order in this court.

Appellant was advised that his brief-in-chief was due here March 17, 2008. He has not filed a brief nor has he sought leave to file a belated brief. The appellee now asks that the appeal be dismissed for appellant's failure to pursue the appeal. The motion is granted pursuant to Ark. Sup. Ct. R. 4-5.

Motion granted; appeal dismissed.