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SUPREME COURT OF ARKANSAS

No. CR-18-360

RICKEY BROOKS

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered: August 2, 2018

APPEAL FROM THE BRADLEY
COUNTY CIRCUIT COURT
[NO. 06CR-93-104]

HONORABLE STEVEN PORCH,
JUDGE

DISSENTING OPINION.

JOSEPHINE LINKER HART, Associate Justice

I would grant Brooks’s “Motion for Reconsideration” of this court’s decision to deny his request for an extension of time to file his appeal. Attached to Brooks’s motion is a letter from the Bradley County Circuit Clerk averring that Brooks did “all he could and in a timely manner to have his appeal” considered by this court. The State has not filed any response. Based on the record before us, Brooks has established good cause for his failure to timely file the necessary documents for his appeal. *Compare O’Neal v. State*, 2016 Ark. 94, 484 S.W.3d 671 (no good cause for allowing untimely appeal where petitioner had made no effort to stay apprised of the status of his case). Accordingly, I dissent from the majority’s decision to deny Brooks’s motion.