

Cite as 2009 Ark. 422

ARKANSAS SUPREME COURT

No. CR 09-315

ARMON HOUSTON
Appellant

v.

STATE OF ARKANSAS
Appellee**Opinion Delivered** September 17, 2009PRO SE MOTIONS FOR EXTENSION
OF TIME TO FILE APPELLANT'S
BRIEF AND FOR RECORD [CIRCUIT
COURT OF PULASKI COUNTY, CR
2005-2702, HON. HERBERT T.
WRIGHT, JR., JUDGE]MOTION FOR EXTENSION OF TIME
GRANTED IN PART AND DENIED IN
PART; MOTION FOR RECORD
GRANTED.**PER CURIAM**

A jury found appellant Armon Houston guilty of first degree murder and sentenced him, with a sentence enhancement under Arkansas Code Annotated § 16-90-120 (Repl. 2006), to an aggregate sentence of 480 months' imprisonment in the Arkansas Department of Correction. The Arkansas Court of Appeals affirmed. *Houston v. State*, CACR 06-1043 (Ark. App. Jun. 13, 2007). Appellant timely filed a petition for relief under Arkansas Rule of Criminal Procedure 37.1 that was denied. Appellant lodged an appeal of that order in this court and has filed motions in which he requests an extension of time for sixty days to file his brief so that he may conclude further research and obtain a copy of, or access to, the record to prepare his brief.

Appellant's request for an extension of time to file the appellant's brief is the first such request by appellant in this appeal. We grant the motion, but not for the sixty days that appellant

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requests. The appellant's brief is due here no later than forty days from the date of this opinion.

Appellant is proceeding pro se and access to the record is necessary in order to prepare his brief. We will therefore grant his request for access to the record. Our clerk is directed to provide appellant with a copy of the record, which must be returned to this court when the brief is tendered or the brief will not be filed.

Motion for extension of time granted in part and denied in part; motion for record granted.