

Cite as 2009 Ark. 423

**ARKANSAS SUPREME COURT**

No. CR 09-318

LARRY DONNELL REED  
Appellant

v.

STATE OF ARKANSAS  
Appellee

**Opinion Delivered**      September 17, 2009

PRO SE MOTIONS FOR EXTENSION  
OF TIME TO FILE APPELLANT'S  
BRIEF AND FOR COPY OF RECORD  
[CIRCUIT COURT OF PULASKI  
COUNTY, CR 2006-1776, HON.  
BARRY SIMS, JUDGE]

MOTION FOR EXTENSION OF TIME  
GRANTED IN PART AND DENIED IN  
PART; MOTION FOR COPY TREATED  
AS MOTION FOR ACCESS TO  
RECORD AND GRANTED.

**PER CURIAM**

In 2006, appellant Larry Donnell Reed entered a negotiated plea of guilty to charges of robbery and theft of property. The court sentenced him to sixty months' probation. Later, appellant entered a plea of guilty to violation of his probation terms and the court again sentenced him to a new term of sixty months' probation. In 2007, following a trial to the court, the court revoked appellant's probation and sentenced appellant to 240 months' imprisonment in the Arkansas Department of Correction on the robbery charge. The Arkansas Court of Appeals affirmed. *Reed v. State*, CACR 07-1244 (Ark. App. Apr. 23, 2008). Appellant timely filed in the trial court a petition for postconviction relief under Arkansas Rule of Criminal Procedure 37.1 that was denied. Appellant has lodged an appeal of the order and has now filed a pro se motion to extend the time in which to file his brief and a motion requesting a copy of the record.

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Appellant's request for extension of time to file the appellant's brief, which is the first such request by appellant in this appeal, is granted, although not for the 120 days appellant requests. Appellant's brief is due here no later than forty days from the date of this opinion.

As for appellant's motion for a copy of the record, we treat the request as one for access to the record because appellant does appear to request that the copy be provided to him without charge. 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. The copy of the record must be returned to this court when appellant's brief is tendered or the brief will not be filed.

Motion for extension of time granted in part and denied in part; motion for copy treated as motion for access to the record and granted.