

Cite as 2009 Ark. 465

ARKANSAS SUPREME COURT

No. CR 08-1370

JOHN LAMB
Petitioner

v.

STATE OF ARKANSAS
Respondent**Opinion Delivered** October 1, 2009PRO SE MOTION FOR
RECONSIDERATION OF MOTION TO
PROCEED WITH APPEAL OF ORDER
[CIRCUIT COURT OF GREENE
COUNTY, CR 2006-43, HON.
BARBARA HALSEY, JUDGE]MOTION FOR RECONSIDERATION
DENIED.**PER CURIAM**

In 2007, petitioner John Lamb was found guilty by a jury of rape and sentenced to life imprisonment. We affirmed. *Lamb v. State*, 372 Ark. 277, 275 S.W.3d 144 (2008). Subsequently, petitioner timely filed in the trial court a pro se petition for postconviction relief pursuant to Arkansas Rule of Criminal Procedure 37.1. The petition was denied on June 9, 2008. Petitioner timely filed a notice of appeal from the order on June 23, 2008, but he did not tender the record to this court within ninety days of the date of the notice of appeal as required by Arkansas Rule of Appellate Procedure–Civil 5(a).¹

Petitioner filed a pro se motion in this court seeking leave to lodge the record belatedly and

¹Effective October 8, 2008, Rule 4(b) of the Arkansas Rules of Appellate Procedure--Criminal became the applicable rule requiring that the record be tendered to this court within ninety days of the date of the notice of appeal, unless the circuit court granted an extension of time.

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proceed with an appeal of the June 9, 2008, order. We treated the motion as a motion for rule on clerk pursuant to Arkansas Supreme Court Rule 2-2(b) and denied the relief sought. *Lamb v. State*, CR 08-1370 (Ark. Feb. 12, 2009) (per curiam). Petitioner now asks that we reconsider the motion.

In the motion for reconsideration, petitioner reiterates the grounds raised in the original motion. As he has stated no valid cause to revisit our previous decision, the motion for reconsideration is denied.

Motion for reconsideration denied.