

Cite as 2009 Ark. 487

SUPREME COURT OF ARKANSAS

No. CR 04-920

MICAH LAMAR WEBB
Petitioner

v.

STATE OF ARKANSAS
Respondent**Opinion Delivered** October 8, 2009PRO SE PETITION TO REINVEST
JURISDICTION IN TRIAL COURT TO
CONSIDER PETITION FOR WRIT OF
ERROR CORAM NOBIS [CIRCUIT
COURT OF PULASKI COUNTY, CR
2003-3047, CR 2004-910]

PETITION DISMISSED.

PER CURIAM

In 2004, petitioner Micah Lamar Webb entered a plea of guilty to three felony charges in two criminal cases. The judgment and commitment orders were entered on May 7, 2004. Petitioner orally moved to withdraw the guilty pleas on May 10, 2004. The trial court denied the motion, and we affirmed. *Webb v. State*, 365 Ark. 22, 223 S.W.3d 796 (2006).

Now before us is a petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.¹ Webb states in that petition that he filed a petition for writ of error coram nobis in the trial court in 2009. According to Webb, the trial court denied the petition because he failed to initially obtain this court's permission to proceed in the trial court with a petition for writ of error coram nobis. The trial court's order is not attached to the petition, and there is no indication that a notice of appeal was filed from the order.

A circuit court can entertain a petition for writ of error coram nobis after a judgment of

¹For clerical purposes, the instant pleading was assigned the same docket number as the order that denied postconviction relief.

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conviction is affirmed on direct appeal only after we grant permission. *Dansby v. State*, 343 Ark. 635, 637, 37 S.W.3d 599, 600 (2001) (per curiam). However, a petition for writ of error coram nobis is filed directly in the trial court where a judgment of conviction was entered on a plea of guilty or nolo contendere, or the judgment of conviction was not appealed. *Magby v. State*, 348 Ark. 415, 418 n.1, 72 S.W.3d 508, 509 (2002) (per curiam).

Here, as petitioner Webb entered guilty pleas in the underlying criminal matters, and his only prior appeal concerned a claim for postconviction relief, *Magby* is controlling. Accordingly, we dismiss the instant petition. Petitioner may proceed directly in the circuit court without first obtaining leave of this court to do so.

Petition dismissed.