

ARKANSAS SUPREME COURT

No. CR 07-641

MARK HOLSOMBACH
Petitioner

v.

HON. DAVID REYNOLDS, CIRCUIT
JUDGE
Respondent

Opinion Delivered September 13, 2007

PRO SE PETITION FOR WRIT OF
MANDAMUS [CIRCUIT COURT OF
VAN BUREN COUNTY, CR 2004-121,
CR 2004-30]

PETITION DISMISSED.

PER CURIAM

On June 19, 2007, petitioner Mark Holsombach filed a petition for writ of mandamus in this court contending that the Honorable David Reynolds, Circuit Judge, had failed to act within a reasonable time on a petition for postconviction relief pursuant to Criminal Procedure Rule 37.1 filed by petitioner on February 20, 2007. After the mandamus action was filed, Judge Reynolds responded by informing this court that, contrary to the Certificate of Service appended to the mandamus petition, petitioner had not served him with a copy of the petition for writ of mandamus.

It was petitioner's responsibility pursuant to Ark. Sup. Ct. R. 6-1(a) to serve the respondent with a copy of the petition for writ of mandamus and provide a Certificate of Service reflecting that he had done so. Although petitioner was advised by respondent's response to the mandamus petition of his failure to comply with this rule, he has not shown that he has taken remedial action. As a result, the petition for writ of mandamus is dismissed.

Petition dismissed.