

# ARKANSAS SUPREME COURT

No. CR 07-711

LeCOREY SMITH  
Petitioner

v.

STATE OF ARKANSAS  
Respondent

Opinion Delivered      December 6, 2007

PRO SE MOTION FOR  
RECONSIDERATION OF DENIAL OF  
MOTION FOR RULE ON CLERK  
[CIRCUIT COURT OF JEFFERSON  
COUNTY, CR 2005-985, HON. BERLIN  
C. JONES, JUDGE]

MOTION FOR RECONSIDERATION  
DENIED.

## PER CURIAM

Now before us is petitioner's pro se motion for reconsideration of the denial of the motion for rule on clerk that we handed down on September 20, 2007. *Smith v. State*, CR 07-711 (Ark. Sept. 20, 2007) (per curiam). Petitioner reiterates the same grounds advanced in the September 20th per curiam and re-asserts that the untimely record was due to an inadvertent miscalculation made by the trial court and the clerk of the circuit court in extending the time allowed for lodging the record on appeal. Petitioner has failed to meet his burden of demonstrating that there was some error of fact or law in the decision that would merit reconsideration of the denial of the motion for rule on clerk. In sum, it is the duty of the litigants to perfect a timely appeal, and he failed to do so within the seven month period from the date of the entry of the judgment. Ark. R. App. P.–Civ. 5(b).

Motion for reconsideration denied.