

ARKANSAS SUPREME COURT

No. CR 08-1173

BENNY LEE CREGGETT
Petitioner

v.

STATE OF ARKANSAS
Respondent

Opinion Delivered November 13, 2008

PRO SE PETITION FOR REVIEW AND
MOTION TO SUPPLEMENT PETITION
[CIRCUIT COURT OF JEFFERSON
COUNTY, CR 2006-833, HON. BERLIN
C. JONES, JUDGE]

PETITION DISMISSED; MOTION
MOOT.

PER CURIAM

Petitioner Benny Lee Creggett appealed his conviction for aggravated robbery and theft of property to the Arkansas Court of Appeals. The court of appeals affirmed the judgment. *Creggett v. State*, CACR 08-292 (Ark. App. Sept. 17, 2008). Petitioner has now filed in this court a pro se petition for review of the decision by the court of appeals and a motion in which he requests permission to supplement his petition and file a supplemental brief.

We do not reach the merits of the petition because petitioner filed the petition proceeding pro se, even though he is currently represented by counsel on appeal. As of this date, counsel has not been relieved. We do not allow a petitioner to substitute his judgment, concerning whether and how to request a petition for review, for that of his attorney. *Brewer v. State*, 371 Ark. 532, ___ S.W.3d ___ (2007) (per curiam). Accordingly, we dismiss the petition without further consideration. Because we dismiss the petition on this basis, the motion to supplement is moot.

Petition dismissed; motion moot.