

SUPREME COURT OF ARKANSAS

No. CR12-304

ALONZO WATSON

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered May 10, 2012MOTION TO BE RELIEVED
AS ATTORNEY FOR
APPELLANT AND STAY
BRIEFING SCHEDULE.MOTION GRANTED.**PER CURIAM**

Thomas B. Devine, III, a full-time, state-salaried public defender, was appointed by the trial court to represent Alonzo Watson in the above-captioned case. As reflected in the judgment and commitment order entered on January 18, 2012, Watson was convicted of capital murder and was sentenced to life imprisonment without parole in the Arkansas Department of Correction. Notice of appeal was filed on January 26, 2012, and the record has been filed with the clerk of this court. Mr. Devine now moves to be relieved as the attorney for Watson.

In *Rushing v. State*, 340 Ark. 84, 8 S.W.3d 489 (2000), we held that full-time, state-salaried public defenders were ineligible for compensation for their work done on appeal. Since *Rushing*, the General Assembly passed Ark. Code Ann. § 19-4-1604(b)(2)(B) (Supp. 2007), which states: “a person employed as a full-time public defender who is not provided a state-funded secretary may also seek compensation for appellate work from the Supreme Court or the Court of Appeals.”

Mr. Devine states in his motion that he is provided a full-time, state-funded secretary.

Accordingly, we grant his motion to be relieved, and we appoint attorney George Morledge, IV, to represent the appellant.

Our clerk is directed to set a new briefing schedule for the appeal.

Motion granted.