

SUPREME COURT OF ARKANSAS

No. CR 12-433

CHARIELL ALI GLAZE

PETITIONER

V.

HON. DAVID REYNOLDS, CIRCUIT
JUDGE

RESPONDENT

Opinion Delivered February 7, 2013

PRO SE PETITION FOR WRIT OF
MANDAMUS [FAULKNER COUNTY
CIRCUIT COURT, 23CR 09-454]

PETITION MOOT.

PER CURIAM

Petitioner Chariell Ali Glaze, proceeding pro se, sought a writ of mandamus and other relief on claims that the respondent, the Honorable David Reynolds, Circuit Judge, had failed to promptly act on pro se pleadings in two criminal cases filed against petitioner in the Faulkner County Circuit Court. We previously disposed of some of those claims, but requested an amended response on petitioner's claims concerning the disposition of certain pro se pleadings in one of the two cases, CR 09-454. *Glaze v. Reynolds*, 2012 Ark. 330 (per curiam).

In Judge Reynolds's initial response, he provided orders that he contended disposed of the pleadings. In our previous opinion, we explained that the orders provided with the response did not dispose of some of the pleadings that were at issue because the orders were invalid. *Id.* This court had, on direct appeal, affirmed the judgment of conviction and reversed and remanded in part, ordering resentencing. *Glaze v. State*, 2011 Ark. 464, ___ S.W.3d ___. The orders provided in the response were based upon a negotiated plea agreement, but, because petitioner's conviction had been affirmed, no plea could be entered on the charges. Both the

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resentencing order in CR 09-454 and the order entered in another case were therefore invalid. *Reynolds*, 2012 Ark. 330, at 2–3.

We directed Judge Reynolds to provide an amended response concerning the pro se pleadings that petitioner had filed in CR 09-454, and we received an amended response, in which Judge Reynolds indicated that the request for mandamus had been made moot. The response was based upon an apparent misconception concerning our previous opinion, in that the response treated a May 8, 2012 order in CR 09-454 as valid, despite our holding to the contrary. We remanded for entry of a sentencing order reflecting an appropriate disposition in CR 09-454 and held petitioner’s request for mandamus relief in abeyance pending receipt of documentation of compliance with our order. *Glaze v. Reynolds*, 2012 Ark. 434 (per curiam).

Judge Reynolds has provided a new response in this case to which he attaches an “amended” sentencing order entered on December 11, 2012. Because the documentation attached to Judge Reynold’s latest response does show that a new resentencing order has been entered in CR 09-454, the judgment in that case is now final, and any underlying motions, including petitioner’s pro se pleadings that were the remaining subject of his mandamus petition at issue, have effectively received a disposition. Petitioner’s request for mandamus relief in regard to those claims is therefore now moot. *See Nelson v. Glover*, 2012 Ark. 307 (per curiam) (where a circuit court has acted on the underlying petition, a petition for writ of mandamus is moot); *McCullough v. Hill*, 2010 Ark. 391 (per curiam); *Bowers v. Laser*, 2010 Ark. 348 (per curiam); *Stephenson v. Humphrey*, 2010 Ark. 215 (per curiam); *McCoy v. Pope*, 2010 Ark. 183 (per curiam); *Wells v. Philbours*, 2010 Ark. 182 (per curiam); *White v. Glover*, 2010 Ark. 166 (per curiam); *Camp*

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v. Yeargan, 2010 Ark. 160 (per curiam); *Strong v. Thyer*, 2010 Ark. 19 (per curiam).

Petition moot.

Chariell Ali Glaze, pro se petitioner.

No response.