

SUPREME COURT OF ARKANSAS

No. CR12-933

BRANDON CLARK FRITTS
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered November 29, 2012

MOTION TO WITHDRAW AS
ATTORNEYGRANTED.**PER CURIAM**

Appellant Brandon Clark Fritts was found guilty of first-degree murder and sentenced to a term of life imprisonment. An appeal from the judgment has been lodged in this court. Fritts is represented on appeal by John Joplin, a full-time public defender. Joplin now asks that he be relieved as counsel on the ground that he is ineligible for compensation for services as appellate counsel.

Arkansas Code Annotated section 19-4-1604(b)(2)(B) (Repl. 2007) provides that persons employed as full-time public defenders who are not provided a state-funded secretary are eligible to seek compensation for appellate work. Counsel affirms that he is a full-time public defender with a full-time, state-funded secretary. Under these circumstances, he is not entitled to be paid for services in this appeal, and his request to be relieved is well founded. *See Craig v. State*, 2012 Ark. 95 (per curiam).

Therefore, we grant Joplin's motion to be relieved, and we appoint attorney Douglas Brimhall to represent Fritts. Our clerk is directed to set a new briefing schedule for the

appeal.

Motion granted.

John Joplin, Deputy Public Defender, for appellant.

No response.