

COURT OF APPEALS OF ARKANSAS, DIVISION II

Josh Hurt v. State of Arkansas

Hurt, 2026 Ark. App. 21 (Ark. Ct. App. 2026) · No. CR-25-101 · Decided January 14, 2026

SUMMARY

The Arkansas Court of Appeals affirmed the revocation of Josh Hurt’s suspended imposition of sentence and his three-year prison sentence after finding that he violated the conditions of his SIS by using and possessing methamphetamine. The court also granted appointed counsel’s motion to withdraw under Arkansas Supreme Court Rule 4-3(b) and Anders v. California after Hurt filed no pro se points for reversal.

CASE DETAILS

COURT	Court of Appeals of Arkansas, Division II
WRITING FOR THE COURT	Wendy Scholtens Wood; Hixson; Murphy
JURISDICTION	Arkansas Court of Appeals, Division II
DECIDED	January 14, 2026
DOCKET	CR-25-101
DISPOSITION	affirmed
PROCEDURAL POSTURE	No-merit appeal from an order revoking appellant's suspended imposition of sentence and imposing a three-year prison sentence; appellate counsel moved to withdraw under Arkansas Supreme Court Rule 4-3(b) and Anders v. California.
PRECEDENTIAL VALUE	Published
PARTIES	Josh Hurt v. State of Arkansas

TOPICS

- probation
- sentencing
- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal law
- criminal appellate procedure
- suspended imposition of sentence revocation

QUESTIONS PRESENTED

1. Whether the circuit court's revocation of Hurt's suspended imposition of sentence and imposition of a three-year prison sentence presented any meritorious ground for reversal.
2. Whether appointed counsel should be permitted to withdraw after filing a no-merit brief under Arkansas Supreme Court Rule 4-3(b) and *Anders v. California*.

HOLDINGS

1. The revocation of Hurt's suspended imposition of sentence and resulting three-year prison sentence were affirmed because the record presented no meritorious ground for reversal.
2. Counsel's motion to withdraw was granted after review of the no-merit appeal.

KEY QUOTATIONS

“Affirmed; motion to withdraw granted.” (at 3)

FACTUAL BACKGROUND

Hurt's SIS terms prohibited him from using, selling, distributing, or possessing controlled substances. After his release from prison on May 19, 2022, the State alleged that he possessed controlled substances and paraphernalia and admitted using methamphetamine, along with other alleged violations. Following the revocation hearing, the circuit court found that Hurt had violated the SIS conditions by using and possessing methamphetamine and imposed a three-year prison sentence.

PROCEDURAL HISTORY

Hurt pleaded guilty in August 2021 to Class D felony possession of methamphetamine and received thirty-six months' imprisonment followed by thirty-six months' suspended imposition of sentence. The State filed petitions to revoke his SIS based on alleged controlled-substance and other violations. After a July 15, 2024 revocation hearing, the Greene County Circuit Court found that Hurt had violated the SIS conditions by using and possessing methamphetamine and sentenced him to three years' imprisonment. Hurt appealed, counsel filed a no-merit brief and motion to withdraw, and Hurt did not file pro se points for reversal.

DISPOSITION

affirmed

CASES CITED

- *Anders v. California*, 386 U.S. 738 (1967)
- *Hurt v. State*, 2025 Ark. App. 20
- *Hurt v. State*, 2025 Ark. App. 22

OPINION

PER CURIAM.

Cite as 2026 Ark. App. 21 ARKANSAS COURT OF APPEALS DIVISION II No. CR-25-101 JOSH HURT Opinion Delivered January 14, 2026 APPELLANT APPEAL FROM THE GREENE COUNTY CIRCUIT COURT [NO. 28CR-19-749] V. HONORABLE MELISSA BRISTOW STATE OF ARKANSAS RICHARDSON, JUDGE APPELLEE AFFIRMED; MOTION TO WITHDRAW GRANTED WENDY SCHOLTENS WOOD, Judge Josh Hurt appeals the Greene County Circuit Court’s sentencing order revoking his suspended imposition of sentence (“SIS”) and sentencing him to three years’ imprisonment.¹ Pursuant to Arkansas Supreme Court Rule 4-3(b) (2024) and *Anders v. California*, 386 U.S. 738 (1967), Hurt’s counsel has filed a motion to withdraw and a no-merit brief stating that there are no meritorious grounds to support an appeal.

The clerk of this court mailed a certified copy of counsel’s motion and brief to Hurt, informing him of his right to file pro se. ¹ This is a companion case to *Hurt v. State*, 2025 Ark. App. 20, ___ S.W.3d ___, and *Hurt v. State*, 2025 Ark. App. 22, no-merit appeals from the revocation of Hurt’s suspended sentences in case numbers CR-25-100 and CR-25-102, also handed down today.

The circuit court held one revocation hearing on the State’s petitions in the three cases. se points for reversal, but he did not file any pro se points. We affirm the revocation and grant counsel’s motion to withdraw.

In August 2021, Hurt pled guilty to Class D felony possession of methamphetamine and was sentenced to thirty-six months’ imprisonment followed by thirty-six months’ SIS. The terms of his SIS included the requirements that Hurt not “use, sell, distribute or possess any controlled substance.” He was released from prison and began serving his suspended sentence on May 19, 2022.

On August 24, 2022, the State petitioned to revoke Hurt’s SIS, alleging that he had violated the terms and conditions of his SIS by possessing controlled substances with the purpose to deliver, possessing drug paraphernalia, and admitting to the use of methamphetamine in July 2022.

On October 16, 2023, the State filed a supplemental petition to revoke, adding the allegations that in June 2023, Hurt committed the misdemeanor offense of disorderly conduct; in September 2023, he committed the offenses of possession of a controlled substance and drug paraphernalia; and he had associated with a convicted felon.

The circuit court held a revocation hearing on July 15, 2024, and at the conclusion of the hearing, it found that Hurt had violated the terms and conditions of his SIS by using and possessing methamphetamine. In a sentencing order entered the same day, the court sentenced Hurt to three years’ imprisonment.

Because the violations alleged in the petitions to revoke, the testimony, the relevant facts, and the arguments are identical to those in the companion cases, we will not restate ² them herein, and we incorporate them by reference.

For the reasons set forth in those opinions, we affirm the revocation of Hurt's SIS in this case and grant counsel's motion to withdraw. Affirmed; motion to withdraw granted. HIXSON and MURPHY, JJ., agree. Lisa-Marie Norris, for appellant. One brief only. 3