

COURT OF APPEALS OF ARKANSAS

Thomas Whitt v. State of Arkansas

Whitt, 2025 Ark. App. 588 (Ark. Ct. App. 2025) · No. CR-25-709 · Decided December 3, 2025

OPINION

PER CURIAM.

Cite as 2025 Ark. App. 588 ARKANSAS COURT OF APPEALS No. CR-25-709 THOMAS WHITT Opinion Delivered December 3, 2025 APPELLANT APPEAL FROM THE SEVIER V. COUNTY CIRCUIT COURT [NO. 67CR-24-25] STATE OF ARKANSAS APPELLEE HONORABLE BRYAN CHESSHIR, JUDGE MOTION FOR RULE ON CLERK CONCURRING OPINION BRANDON J. HARRISON, Judge Dear Criminal Defense Lawyers: Please Do Better.

The lack of care shown to jurisdictional details, like the rather mundane but critical task of filing a record on appeal on time, is ballooning to the point of bursting. Just look at a few months' worth of the syllabi, and the case is made. Examine closely two years' worth of syllabi and one can justifiably wonder what took a judge so long to speak up. A second concern that is occurring more frequently is the failure to file a timely notice of appeal when directed to do so.

Most failures to complete these professional obligations are not egregious—but rest assured an increasing number of them are so; and they surely prejudice defendants who have a right to a timely direct appeal. Referrals to the appropriate authority will increase if this trend is not arrested, and quickly so. You are on notice. I take no pleasure in this opinion; but my duty (as I see it anyway) demands that I communicate loudly and clearly enough to, hopefully, make a difference.

For everyone's sake. Having said all this, I join the court's decision to grant the motion for rule on clerk. 2