



ARKANSAS JUDICIARY

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## CACR 06-731

Case Number CACR 06-731 filed at this court on 07/03/2006

Case Category: Felony

Case Caption:

BYRIAN FOOTE

V

STATE OF ARKANSAS

Byrian Foote (ACTIVE) Appellant's counsel:

Timothy Clay Janske - LEAD

Conviction Information:

Convicted of: Murder - 1st Degree

Sentence: 018-00-000 (yyy-mm-ddd)

Sentence Type CONSECUTIVE

Remarks:

Criminal Attempt to Commit First Degree Murder - 7 years

Residential Burglary - 1 day

State Of Arkansas (ACTIVE) Appellee's counsel:

Attorney General - LEAD

Trial Court: Garland

Garland Circuit

Trial Court Number: CR2004-552 I

Trial Judge: Thomas Lynn Williams

----- EVENT LISTING -----

08/01/2007 Attorney's Fees Only - Court of Appeals

Submitted to the court on - 07/23/07

Appellant's Attorney - Timothy Clay Janske

9/11/07 - Rec'd W9 and invoices

06/26/2007 Mandate to Clerk

06/15/2007 Motion for Attorney's Fees - Byrian Foote

Submitted to the court on - 07/23/07

Action = GRANTED on 08/01/07

Appellant's Attorney - Timothy Clay Janske

Motion of T. Clay Janske for attorney's fees is granted.

Allowed \$1,400.00.

06/06/2007 Majority Opinion Rendered  
ACTION = Affirmed  
Opinion Date - 06/06/07 Consist of 0 pages,  
Cite Number - Publish - no  
Denzil Price Marshall Jr -- WRITING  
Gladwin and Miller, JJ., agree.

06/06/2007 Opinion Panel  
Denzil Price Marshall Jr -- WRITING

05/23/2007 Court of Appeals Votesheet Issued

05/23/2007 Case Submitted

02/27/2007 Brief Filed Timely - State Of Arkansas  
Appellee's Attorney - Attorney General  
Brad Newman

02/27/2007 Checklist for Appellee Briefs - State Of Arka  
Appellee's Attorney - Attorney General  
APPELLEE BRIEFS  
TABLE OF CONTENTS  
POINTS ON APPEAL  
TABLE OF AUTHORITIES  
ARGUMENT - 25 PAGES

01/31/2007 Printed Brief Filed Timely - Byrian Foote  
Appellant's Attorney - Timothy Clay Janske

01/25/2007 Record Checkout by Atty. of Record - State Of A a  
Appellee's Attorney - Attorney General  
Number of Volumes 4  
Number of Sets 0

01/24/2007 Briefing Commenced - State Of Arkansas  
This event was tickled for 02/28/07

01/24/2007 Typed Brief Filed Timely - Byrian Foote  
Appellant's Attorney - Timothy Clay Janske

01/24/2007 Checklist for Appellant's Briefs - Byrian Foo  
Appellant's Attorney - Timothy Clay Janske  
REQUIREMENTS:  
12 PITCH OR LARGER FONT SIZE  
TEXT IS DOUBLE-SPACED  
1 INCH MARGINS ON THE TOP, BOTTOM, & RIGHT MARGI  
EACH MAJOR SECTION BEGINS WITH PAGE 1  
CONTENTS:  
TABLE OF CONTENTS  
A. PAGE NUMBER REFERENCES TO EACH MAJOR SECTIO  
B. PG REF TO THE ABS WHERE EACH WIT BEGIN TSMY

INFORMATION/JURIDITIONAL STATEMENT  
POINTS ON APPEAL  
TABLE OF AUTHORITIES  
ABSTRACT  
A. FIRST PERSON NARRATIVE  
B. PAGE REFERENCES TO RECORD  
STATEMENT OF THE CASE  
A. FIVE PAGES OR LESS  
B. PAGE REFERENCES TO THE ABSTRACT & ADDENDUM  
ARGUMENT  
A. TWENTY-FIVE PAGES OR LESS  
B. PAGE REFERENCES TO THE ABSTRACT & ADDENDUM  
C. SIGNATURE AND CERTIFICATE OF SERVICE  
ADDENDUM  
A. INDEX WITH PAGE REFERENCES TO THE RECORD  
B. JUDGMENT/ORD/DECREE APPEALED FROM INCLUDED  
C. NOTICE OF APPEAL INCLUDED  
CRIMINAL CASE TYPED

01/24/2007 Letter Orders - Court of Appeals  
Appellee's Attorney - Attorney General

01/23/2007 Response to Motion to Dismiss - Byrian Foote  
Appellant's Attorney - Timothy Clay Janske

01/17/2007 Motion to Dismiss - Appeal - State Of Arkansa  
Action = DENIED on 01/24/07  
Appellee's Attorney - Attorney General  
Appellee's motion to dismiss appeal is denied. Appellant's  
corrected brief filed this date. (Corrected brief was  
tendered on 11/14/07 but was not filed after motion to  
correct was granted.)

11/14/2006 Motion for Time to Correct Brief - Byrian Foo  
This event was tickled for 11/17/06  
Action = GRANTED on 11/15/06  
Appellant's Attorney - Timothy Clay Janske

11/13/2006 Brief tendered but was rejected  
Appellant's Attorney - Timothy Clay Janske  
No reference to the abstract and/or addendum  
in the statement of the case or argument  
Attorney has been notified that a motion for  
time to correct is required

09/25/2006 Brief Extension - Byrian Foote  
This event was tickled for 11/12/06  
Action = GRANTED on 09/26/06  
Appellant's Attorney - Timothy Clay Janske  
granted.

09/08/2006 Record Checkout by Atty. of Record - Byrian Foo  
Appellant's Attorney - Timothy Clay Janske  
Number of Volumes 1  
Number of Sets 0

08/09/2006 Brief Extension - Byrian Foote  
This event was tickled for 09/28/06  
Action = GIP on 08/11/06  
Appellant's Attorney - Timothy Clay Janske

07/03/2006 Record Lodged  
Number of Volumes 4  
Number of Sets 0

07/03/2006 Briefing Commenced - Byrian Foote  
This event was tickled for 08/14/06  
Appellant's Attorney - Timothy Clay Janske

**Date Filed:**

Monday, July 3, 2006

**Caption:**

BYRIAN FOOTE

V

STATE OF ARKANSAS

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