



STATE OF ARKANSAS
OFFICE OF THE ATTORNEY GENERAL
JUSTICE BUILDING, LITTLE ROCK 72201
May 28, 1985

STEVE CLARK
ATTORNEY GENERAL

(501) 371-2007

OPINION NO. 85-125

Mr. William Clay Brazil
Prosecuting Attorney
Twentieth Judicial District
1008 Front Street
Conway, AR 72032

Re: Liability of Faulkner County for Expenses Incurred
In the Trial of State of Arkansas v. O.H. Mullenax,
No. CR-85-68 and State of Arkansas v. Marvin Iberg,
No. CR-85-69

Dear Prosecuting Attorney Brazil:

Thank you for your letter of April 23, 1985, concerning the liability of Faulkner County for any and all expenses incurred in the trial of State of Arkansas v. O.H. Mullenax, No. CR-85-68 and State of Arkansas v. Marvin Iberg, No. CR-85-69.

As you are aware, this office, through Assistant Attorney General Jeffrey A. Bell, represents the Honorable George F. Hartje, Jr., in Ricky Williams, et al. v. Faulkner County, Arkansas, et al., No. LR-C-84-791. In my opinion, it would ~~be inappropriate~~ for this office to render an opinion concerning the funding of criminal trials arising out of the same facts pending in a civil case in which the office represents a named defendant. The conflict is inherent.

Although I am unable to advise you in this matter, please do not hesitate to contact this office if we can be of assistance in the future.

Sincerely,

STEVE CLARK
Attorney General

SC/pw