

Roy Eugene VANCE *v.* STATE of Arkansas

621 S.W. 2d 224

Supreme Court of Arkansas  
Opinion delivered September 21, 1981

APPEAL & ERROR — MOTION FOR RULE ON CLERK — ADMITTED ERROR BY ATTORNEY GOOD CAUSE FOR GRANTING. — There is good cause to grant the motion for rule on the clerk where the attorney for a criminal defendant admits error.

Motion for rule on the clerk; motion granted.

*DeLoss McKnight*, for appellant.

*Steve Clark*, Atty. Gen., by: *Alice Ann Burns*, Asst. Atty. Gen., for appellee.

PER CURIAM. Appellant, Roy Eugene Vance, by his attorney, has again filed for a rule on the clerk. In a Per Curiam opinion issued July 13, 1931, we denied a similar motion.

His attorney, DeLoss McKnight, has attached an affidavit admitting that the record was entered late due to a mistake on his part.

We find that such an error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. See our Per Curiam opinion dated February 5, 1979, In Re: Belated Appeals in Criminal Cases, 265 Ark. 964.

A copy of this opinion will be forwarded to the Committee on Professional Conduct.