

John P. FORSYTH *v.* STATE of Arkansas

631 S.W. 2d 304

Supreme Court of Arkansas  
Opinion delivered April 12, 1982

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK. — When a criminal defendant's attorney admits that the record was tendered late due to a mistake on his part, such is good cause to grant the motion for rule on the clerk.

Motion for rule on the clerk; motion granted.

*W. H. Taylor*, for appellant.

*Steve Clark*, Atty. Gen., for appellee.

PER CURIAM. Appellant, John P. Forsyth, by his attorney, has filed for a rule on the clerk.

His attorney, W. H. Taylor, admits that the record was tendered 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.