

Derrell L. BRINKLEY *v.* STATE of Arkansas

639 S.W.2d 513

Supreme Court of Arkansas
Opinion delivered October 4, 1982

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GOOD CAUSE.
— There is good cause to grant the Motion for Rule on the Clerk where the criminal defendant's attorney admitted the record was tendered late due to a mistake on his part.

Motion for Rule on the Clerk; motion granted.

Arnold, Lavender, Rochelle, Barnette & Franks, by:
Jerry A. Rochelle, for appellant.

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

PER CURIAM. Appellant, Derrell L. Brinkley, by his attorney, has filed for a rule on the clerk.

His attorney, Jerry A. Rochelle, 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.