

James CLEMONS *v.* STATE of Arkansas

644 S.W.2d 272

Supreme Court of Arkansas
Opinion delivered January 10, 1983

APPEAL & ERROR — GOOD CAUSE FOR MOTION FOR RULE ON THE CLERK. — In a criminal case, where the appellant's attorney admits that the late filing of the record was due to a mistake on his part, the error is good cause to grant the motion for rule on the clerk.

Motion for Rule on the Clerk; motion granted.

Guthrie, Burbank & Dodson, by: *David F. Guthrie*, for appellant.

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

PER CURIAM. James Clemons was convicted and sentenced to a term of ten years for being an accomplice to aggravated robbery. His attorney, David F. Guthrie, gave a notice of appeal but did not file the record within the period allowed. His attorney has admitted that the late filing of the record was a mistake on his part. The error is good cause to grant the motion for a rule on the Clerk. A copy of this opinion will be forwarded to the Committee on Professional Conduct.