

John L. NOBLE v. STATE of Arkansas

715 S.W.2d 448

Supreme Court of Arkansas  
Opinion delivered September 29, 1986

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GOOD CAUSE FOR GRANTING. — An admission by an attorney for a criminal defendant that the record was tendered late due to a mistake on his part, is good cause to grant a motion for rule on the clerk.

Motion for Rule on the Clerk; granted.

*Maxie G. Kizer*, for appellant.

No response.

PER CURIAM. Appellant, John L. Noble, by his attorney, *Maxie G. Kizer*, has filed a motion for rule on the clerk.

The motion admits that the record was not timely filed and it was no fault of the appellant. His attorney admits that the record was tendered late due to a miscalculation on his part.

[1] 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, *In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979).

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

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