

David Charles STEPHENS v. STATE of Arkansas

725 S.W.2d 855

Supreme Court of Arkansas  
Opinion delivered March 23, 1987

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.

*Robert C. Marquett*, for appellant.

No response.

PER CURIAM. Petitioner David Charles Stephens, by his attorney, has filed a second motion for a rule on the clerk. His attorney, Robert C. Marquette, has by affidavit admitted it was

his fault that the record was not timely tendered.

[1] We find that the error, admittedly made by the criminal defendant's attorney, 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.

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