

Charles K. BARNES v. STATE of Arkansas

CR 93-1004

861 S.W.2d 312

Supreme Court of Arkansas
Opinion delivered October 4, 1993

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.

Phyllis B. Worley, Public Defender, for appellant.

No response.

PER CURIAM. Appellant, Charles K. Barnes, by his attorney, has filed for a rule on the clerk.

His attorney, Bob Keeter, admits that the failure to file the record in time was due to a mistake 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 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.
