

Allen Bruce WOODS v. STATE of Arkansas

CR 94-311

873 S.W.2d 562

Supreme Court of Arkansas  
Opinion delivered April 25, 1994

APPEAL & ERROR — NOTICE OF APPEAL OF NO EFFECT. — Where appellant filed his notice of appeal on November 9, 1993, and the judgment was not entered until November 10, 1993, the notice of appeal was of no effect; however, belated appeal will be granted upon admission of error by counsel.

Motion for Rule on the Clerk denied.

*Paul Johnson*, for appellant.

No response.

[1] PER CURIAM. We treat this motion for rule on the clerk as a motion for a belated appeal. Appellant filed his notice of appeal on November 9, 1993, whereas the judgment was not entered until November 10, 1993. Under our rules the notice of appeal was of no effect. Ark. R. App. P. 4; *Kelly v. Kelly*, 310 Ark. 244, 835 S.W.2d 249 (1991).

We will grant the motion for a belated appeal upon the admission of error by counsel and direct that a copy of this opinion be forwarded to the Committee on Professional Conduct.

---