

Dennis Wayne JOHNSON v. STATE of Arkansas  
CR 94-257 875 S.W.2d 510  
Supreme Court of Arkansas  
Opinion delivered May 9, 1994

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.

*George J. Stone*, 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 October 5, 1993, whereas the judgment was not entered until December 1, 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 grant the motion for a belated appeal and direct that a copy of this opinion be forwarded to the Committee on Professional Conduct.

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