

Kenneth STRICKLAND v. STATE of Arkansas.

CR 94-879

883 S.W.2d 455

Supreme Court of Arkansas
Opinion delivered September 12, 1994

APPEAL & ERROR — ATTORNEY ADMITS MISTAKE IN FILING TIMELY NOTICE OF APPEAL — GOOD CAUSE TO GRANT BELATED APPEAL. — Where attorney for criminal defendant admitted error in filing a timely notice of appeal, there was good cause to grant the motion for belated appeal.

Motion for Belated Appeal granted.

James P. Clouette, for appellant.

No response.

PER CURIAM. Appellant, Kenneth Strickland, by his attorney, James P. Clouette, has filed a motion for belated appeal and for a Rule on the Clerk. The record was refused when tendered to the clerk because the notice of appeal was not timely filed.

[1] Appellant's attorney, James P. Clouette, admits that the failure to give a timely notice of appeal was due to his personal neglect. We find that such an error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion pursuant to Ark. R. Crim. P. 36.9. *Weaver v. State*, 304 Ark. 77, 798 S.W.2d 925 (1990).

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