

Jerry Lee BURRESS v. Robert EDWARDS, Circuit Judge;
Jess Odom, Sheriff, White County, Arkansas,
and the State of Arkansas

94-976

883 S.W.2d 480

Supreme Court of Arkansas
Opinion delivered September 26, 1994

APPEAL & ERROR — BELATED APPEAL GRANTED — COUNSEL ADMITTED
MISTAKE IN FILING NOTICE OF APPEAL. — Where appellant pled guilty,
was sentenced to a term of years, posted an appeal bond, but no
notice of appeal was filed, appellant then moved for a belated appeal
under Ark. R. Crim. P. 36.9, and his attorney admitted fault in fail-
ing to file a timely notice of appeal, there was good cause to grant
the motion for belated appeal.

Motion for Belated Appeal granted.

A. Wayne Davis, for appellant.

No response.

[1] PER CURIAM. On December 15, 1993, Jerry Lee Burress pled guilty to possession of a controlled substance and was sentenced to a term of years in the state penitentiary. He posted an appeal bond, but no notice of appeal was filed. On September 1, 1994, he was arrested and incarcerated, and his appeal bond was revoked. He now moves for a belated appeal under Ark. R. Crim. P. 36.9, and his attorney, *A. Wayne Davis*, admits fault in failing to file a notice of appeal in timely fashion.

The motion is granted. A copy of this order will be forwarded to the Committee on Professional Conduct.
