

Undra SUMLIN v. STATE of Arkansas

CR 94-362

883 S.W.2d 480

Supreme Court of Arkansas  
Opinion delivered September 26, 1994

APPEAL & ERROR — BELATED APPEAL GRANTED — COUNSEL ADMITTED MISTAKE — GOOD CAUSE SHOWN. — Where counsel for a criminal defendant admitted by motion that the record was tendered late due to a mistake on his part in calculating the forty-five days for filing the record, there was good cause to grant the motion for belated appeal.

Motion for Belated Appeal granted.

*Matthew J. Ketcham*, for appellant.

No response.

PER CURIAM. Undra Sumlin, by his attorney, Matthew J. Ketcham, has filed a motion to file a belated record. We treat this as a motion for belated appeal.

His attorney, Matthew J. Ketcham, admits by motion that the record was tendered late due to a mistake on his part in calculating the forty-five days for filing the record pursuant to our per curiam of July 11, 1994.

[1] We find that such an error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. *See In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979) (per curiam). The motion is, therefore, granted. A copy of this opinion will be forwarded to the Committee on Professional Conduct.

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