

## Mark Thomas STOUT v. STATE of Arkansas

CR 94-1276

887 S.W.2d 309

Supreme Court of Arkansas  
Opinion delivered December 5, 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.

A. Wayne Davis, for appellant.

No response.

PER CURIAM. Mark Thomas Stout, by his attorney, A. Wayne Davis, has filed a motion for a rule on the clerk. His attorney, A. Wayne Davis, admits by motion that the record was tendered late due to a mistake on his part.

[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.