

Kimberly L. SMITH v. STATE of Arkansas

CR 94-1300

888 S.W.2d 663

Supreme Court of Arkansas
Opinion delivered December 12, 1994

APPEAL & ERROR — MOTION FOR BELATED APPEAL — GOOD CAUSE TO GRANT. — Where the attorney for a criminal defendant failed to give timely notice of appeal but acknowledged that it was her responsibility to give a timely notice of appeal and the failure to do so was entirely her fault, the motion for belated appeal was granted.

Motion for Belated Appeal granted.

P. J. Maddox-Cook, for appellant.

No response.

[1] PER CURIAM. Kimberly L. Smith was convicted of first degree murder and is currently serving a forty-year sentence in prison. Her attorney, P. J. Maddox-Cook, failed to give timely notice of appeal. The attorney has acknowledged that it was her responsibility to give a timely notice of appeal and the failure to do so was entirely her fault. Accordingly, we grant the motion for belated appeal and direct that a copy of this order be filed with the Committee on Professional Conduct. *See Young v. State*, 318 Ark. 235, 884 S.W.2d 591 (1994) & *In re Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979).