

## Robert STUBBS v. STATE of Arkansas

CR 95-240

896 S.W.2d 430

Supreme Court of Arkansas  
Opinion delivered March 27, 1995

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 prematurely and untimely 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.

*Bill Luppen*, for appellant.

No response.

[1] PER CURIAM. The appellant, Robert Stubbs, has filed a motion for rule on the clerk. His attorney, Bill Luppen, admits that the record was prematurely and untimely filed due to a mistake on his part. We find that such admission of fault by an attorney in a criminal case is good cause to grant the motion. *See Tarry v. State*, 288 Ark. 172, 702 S.W.2d 904 (1986).

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

DUDLEY, J., not participating.