

Joseph O'NEAL v. STATE of Arkansas

CR 95-148

896 S.W.2d 592(2)

Supreme Court of Arkansas
Opinion delivered April 10, 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 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.

Joseph P. Mazzanti III, for appellant.

No response.

PER CURIAM. Appellant, Joseph O'Neal, by his attorney, has filed for a rule on the clerk.

His attorney, Joseph P. Mazzanti, III, accepts full responsibility for failing to file the record on time.

[1] We find that such an error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. See our Per Curiam opinion dated February 5, 1979, *In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964. A copy of this opinion will be forwarded to the Committee on Professional Conduct.

DUDLEY, J., not participating.