

Douglas James CLAYTON v. STATE of Arkansas
CR 94-1446 902 S.W.2d 772
Supreme Court of Arkansas
Opinion delivered July 17, 1995

APPEAL & ERROR — SUPREME COURT ERRED IN DISMISSING APPEAL —
APPEAL ORDERED REINSTATED. — Where the supreme court had dis-
missed appellant's appeal on the basis that his notice of appeal was inef-
fective but had previously granted his motion for rule on the
clerk, the court erred in dismissing the appeal and directed the
Clerk of the Supreme Court to reinstate the appeal.

Appeal reinstated.

Ralph M. Cloar, for appellant.

No response.

[1] PER CURIAM. Appellant Douglas James Clayton peti-
tions for rehearing on the basis that this court erred in dismiss-
ing his appeal on the basis that his notice of appeal was inef-
fective. *See Clayton v. State*, 321 Ark. 217, 900 S.W.2d 537
(1995). According to *Clayton*, we previously granted his motion
for rule on the clerk, permitting him to lodge his transcript. *See
Clayton v. State*, 319 Ark. 291, 890 S.W.2d 602 (1995) (Clay-
ton I). We agree that we erred in dismissing the appeal, and we
direct the Clerk of the Supreme Court to reinstate the appeal.