

Stephen HENRY v. STATE of Arkansas

CR 95-770

905 S.W.2d 69

Supreme Court of Arkansas
Opinion delivered September 11, 1995

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GRANTED AS MOTION FOR BELATED APPEAL. — Where appellant filed his notice of appeal one day prior to the entry of judgment, it was of no effect, and appellant's motion for rule on the clerk was treated as a motion for belated appeal and was granted.

Motion for Rule on the Clerk; Treated as Motion for Belated Appeal; granted.

J. Slocum Pickell, for appellant.

No response.

PER CURIAM. The appellant, Stephen Henry, has filed a motion for rule on the clerk. As appellant filed his notice of appeal one day prior to the entry of judgment, it was of no effect under our rules. *Brewer v. State*, 321 Ark. 220, 901 S.W.2d 11 (1995); Ark. R. App. P. 4.

[1] We treat this motion as one for belated appeal and grant the motion. A copy of this opinion will be forwarded to the Committee on Professional Conduct.
