

Dorenda Gail FRETWELL v. STATE of Arkansas
RC 89-7 765 S.W.2d 576

Supreme Court of Arkansas
Opinion delivered February 27, 1989

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.

Jack M. Lewis, for appellant.

No response.

PER CURIAM. Petitioner, Dorenda Fretwell, by her attorney, Jack M. Lewis, has filed a motion for rule on the clerk. Her attorney admits that the record was tendered late due to a mistake on his part in posting the filing date on his calendar.

[1] We find that such error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. *See Terry v. State*, 272 Ark. 243, 613 S.W.2d 90 (1981); *In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979) (per curiam).

A copy of this opinion will be forwarded to the Committee on Professional Conduct. *In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979).