

Allen CLAY v. STATE of Arkansas

CR 92-547

828 S.W.2d 846

Supreme Court of Arkansas
Opinion delivered May 26, 1992

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.

Louis A. Etoch, for appellant.

No objection.

PER CURIAM. Appellant, Allen Clay, by his attorney has filed for a rule on the clerk.

His attorney, Louis Etoch, admits that the failure to file the record in time was due to a mistake on his part.

[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.
