

C & M CONSTRUCTION COMPANY,
Inc. v. SIMMONS FIRST NATIONAL
BANK of Pine Bluff

76-406

545 S.W. 2d 631

January 24, 1977

1. APPEAL & ERROR — NOTICE OF APPEAL — VALIDITY OF APPEAL, FAILURE OF APPELLANT TO TAKE FURTHER STEPS AS AFFECTING. — The failure of an appellant to take further steps to secure the review of a judgment or decree, after having given notice of appeal, does not affect the validity of the appeal but is ground for such action as the Supreme Court may take.
2. APPEAL & ERROR — DISMISSAL OF APPEAL — WHEN APPROPRIATE. — Where it is clear that the application for the extension of time was based upon the court reporter's inability to complete the transcript due to her heavy workload, and where appellee did not file its motion to dismiss or take any other action until more than 60 days had elapsed after it learned that the extension had been granted, the Court does not deem it appropriate to dismiss the appeal.

Motion to dismiss appeal from Pulaski Chancery Court,
Third Division; motion denied.

John M. Fincher, for appellant.