

Ray SEBASTIAN *v.* STATE of Arkansas

05-114

203 S.W.3d 637

Supreme Court of Arkansas
Opinion delivered February 17, 2005

APPEAL & ERROR — MOTION FOR RULE ON 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 her part is good cause to grant a motion for rule on the clerk.

Motion for Rule on Clerk; granted.

Brenda Stallings, for appellant.

No response.

PER CURIAM. Appellant Ray Sebastian, by and through his attorney, has filed a motion for rule on clerk. His attorney, Brenda Stallings, states in the motion that the record was tendered late due to a mistake on her part.

[1] We find that such an error, admittedly made by an attorney for a criminal defendant, is good cause to grant the motion. See *In Re Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979) (*per curiam*).

The motion is, therefore, granted. A copy of this opinion will be forwarded to the Committee on Professional Conduct