

Milton MORRIS v. STATE of Arkansas

CR 04-840

190 S.W.3d 906

Supreme Court of Arkansas
Opinion delivered September 9, 2004

APPEAL & ERROR — MOTION FOR RULE ON CLERK — GOOD CAUSE FOR GRANTING. — An admission by attorneys for a criminal defendant that the record was tendered late due to a mistake on their part is good cause to grant a motion for rule on the clerk.

Motion for Rule on Clerk; granted.

Hurst & Morrisey, PLLC, by: *Q. Byrum Hurst, Jr.*; and *Darrell F. Brown & Associates, P.A.*, by: *Darrell F. Brown*, for appellant.

No response.

PER CURIAM. Appellant Milton Morris, by and through *Q. Byrum Hurst, Jr.* and *Darrell F. Brown*, has filed a motion for a rule on the clerk. His attorneys, *Hurst* and *Brown*, state in the motion that the record was tendered late due to a mistake on their 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.
