

Johnifer ROLSTON v. STATE of Arkansas

CR 04-588

186 S.W.3d 236

Supreme Court of Arkansas  
Opinion delivered June 17, 2004

MOTIONS — BELATED APPEAL — GOOD CAUSE FOR GRANTING. — An admission by the attorney for a criminal defendant that the notice of appeal was not filed in a timely manner due to a mistake on his part is good cause to grant a motion for belated appeal.

Motion for Belated Appeal; granted.

*Mazzanti Law Office, PLLC*, by: *Joseph P. Mazzanti, III*, for appellant.

No response.

**P**ER CURIAM. Johnifer Rolston, by his attorney, Joseph P. Mazzanti, III, has filed a motion for belated appeal. His attorney admits that the notice of appeal was not filed in a timely manner due to a mistake on his part.

[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*).

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

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