

Earl Ray NEIGHBORS v. STATE of Arkansas

RC 90-69

804 S.W.2d 728

Supreme Court of Arkansas
Opinion delivered March 18, 1991

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.

J. F. Atkinson, Jr., for appellant.

Winston Bryant, Att'y Gen., by: *Clint Miller*, Asst. Att'y Gen., for appellee.

PER CURIAM. Appellant, Earl Ray Neighbors, by his attorney, has filed for a rule on the clerk.

His attorney, J.F. Atkinson, Jr., admits that the record was tendered late 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.
