

Randy WINKLE v. STATE of Arkansas

CR 92-225

823 S.W.2d 912

Supreme Court of Arkansas
Opinion delivered March 9, 1992

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GOOD CAUSE FOR GRANTING. — Where counsel assumes responsibility for the error in filing, in a criminal case, a motion for a rule on the clerk is routinely granted.

Motion for Rule on the Clerk; granted.

Bill Murphy, for appellant.

No response.

PER CURIAM. On February 18, 1992, the petitioner, Randy Winkle, tendered an untimely transcript and now brings this motion for a rule on the clerk. Winkle's attorney, Mr. Bill Murphy, admits in the motion that the untimely filing of Winkle's transcript was due to his miscalculation of the time by which to file the transcript.

[1] Where counsel assumes responsibility for the error in filing, in a criminal case, a motion for a rule on the clerk is granted routinely. See *Shuffield v. State*, 292 Ark. 185, 729 S.W.2d 11 (1987). A copy of this opinion will be forwarded to the Committee on Professional Conduct.

Motion granted.
