

## Troy MAYO v. STATE of Arkansas

CR 95-802

908 S.W.2d 659

Supreme Court of Arkansas  
Opinion delivered November 6, 1995

APPEAL & ERROR — MOTION TO FILE BELATED TRANSCRIPT — GOOD CAUSE FOR GRANTING. — An admission by an attorney for a criminal defendant that the transcript in an appeal was tendered late due to a mistake on his part is good cause to grant a motion to file a belated transcript.

Motion to File Belated Transcript; granted.

*Roy C. Lewellen*, for appellant.

No response.

PER CURIAM. Mr. Mayo, through his attorney, Roy C. Lewellen, requests permission to file a belated transcript. In *Mayo v. State*, 321 Ark. 566, 906 S.W.2d 285 (1995), this court denied Mr. Mayo's Motion for Rule on the Clerk because Mr. Lewellen had not accepted full responsibility for not timely filing the transcript.

[1] Mr. Lewellen has now filed an affidavit in which he accepts full responsibility for tendering the transcript one day after the deadline. We find that such error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. See per curiam order dated February 5, 1979. *In re: Belated Appeals in Criminal Cases*, 265 Ark. 964; *Terry v. State*, 272 Ark. 243, 613 S.W.2d 90 (1981).

A copy of this opinion will be forwarded to the Committee on Professional Conduct.