

Willie BURTON, Jr. v. STATE of Arkansas
CR 95-1234 912 S.W.2d 11
Supreme Court of Arkansas
Opinion delivered December 18, 1995

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GOOD CAUSE FOR GRANTING. — An admission by an attorney for a criminal defendant that he has failed to file a timely appeal is good cause to grant a motion for rule on the clerk.

Motion for Rule on the Clerk; granted.

Marc Honey, for appellant.

No response.

PER CURIAM. Willie Burton, Jr., by his attorney, has filed a motion for a rule on the clerk.

His attorney, Marc Honey, admits in his motion 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 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.