

Donald BRIDGES *v.* STATE of Arkansas

CR 96-181

914 S.W.2d 762

Supreme Court of Arkansas
Opinion delivered February 26, 1996

**APPEAL & ERROR — MOTION FOR RULE ON CLERK TREATED AS
MOTION FOR BELATED APPEAL — GOOD CAUSE FOR GRANTING.**

— Where an attorney for a criminal defendant admitted in his motion for belated appeal or for rule on the clerk that he was responsible for the failure to file an additional notice of appeal, the supreme court treated the motion as one for a belated appeal and found good cause to grant it.

Motion for Belated Appeal or for Rule on the Clerk treated as Motion for Belated Appeal; granted.

Mike Everett, for appellant.

No response.

PER CURIAM. The appellant, Donald Bridges, has filed a motion for belated appeal or rule on the clerk. As he filed his notice of appeal prior to the disposition of a post-trial motion listed under Ark. R. App. P. 4(c), it was of no effect. Appellant's attorney admits he was responsible for the failure to file an additional notice of appeal.

[1] We treat the motion as one for a belated appeal and grant the motion. We find that such an error, admittedly made by an attorney for a criminal defendant, is good cause to grant the motion. See *Brown v. State*, 321 Ark. 282, 900 S.W.2d 954 (1995). A copy of this opinion will be forwarded to the Committee on Professional Conduct.
