

Joel P. SMITH v. STATE of Arkansas

CR 96-261

917 S.W.2d 168

Supreme Court of Arkansas
Opinion delivered March 18, 1996

APPEAL & ERROR — MOTION FOR BELATED APPEAL — GOOD CAUSE FOR GRANTING. — An admission by the attorney for a criminal defendant that the failure to file the record in time was due to a mistake on his part is good cause to grant a motion for belated appeal.

Motion for Belated Appeal; granted.

Robert S. Tschiemer, for appellant.

No response.

PER CURIAM. Appellant, Joel P. Smith, by his attorney, has filed for a belated appeal.

His attorney, Robert S. Tschiemer, admits that the failure to file the record in time was 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.