

Kenneth Darrell EASILEY *v.* STATE of Arkansas

663 S.W.2d 736

Supreme Court of Arkansas
February 6, 1984

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GOOD CAUSE FOR GRANTING. — Where the attorney for a criminal defendant files an affidavit admitting that it was his fault that the record was not timely tendered, this is good cause to grant the motion for rule on the clerk.

Motion for Rule on Clerk; motion granted.

Jack R. Kearney, for appellant.

Steve Clark, Atty. Gen., by: Theodore Holder, Asst. Atty. Gen., for appellee.

PER CURIAM. Petitioner Kenneth D. Easley, by his attorney, has filed a second motion for a rule on the clerk. His attorney, Jack R. Kearney, has by affidavit admitted it was his fault that the record was not timely tendered.

We find that the error, admittedly made by the criminal defendant's attorney, is good cause to grant the motion for a rule on the clerk.

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