

Donald WEBSTER *v.* STATE of Arkansas

667 S.W.2d 955

Supreme Court of Arkansas
Opinion delivered April 16, 1984

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GOOD CAUSE TO GRANT. — An admission by an attorney for a criminal defendant that the record was tendered late due to a mistake on his part is good cause to grant a motion for rule on the clerk.

Motion for Rule on the Clerk, motion granted.

Raymond R. Abramson, for appellant.

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

PER CURIAM. Appellant, Donald Webster, by his attorney, Raymond A. Abramson, has filed a motion for rule on the clerk.

The motion admits that the record was not timely filed and it was no fault of the appellant. His attorney admits that the record was filed late due to a mistake on his part.

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 dated February 5, 1979, In Re: Belated Appeals in Criminal Cases.

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