

Michael Daniel HERRINGTON *v.*  
STATE of Arkansas

674 S.W.2d 505

Supreme Court of Arkansas  
Opinion delivered September 10, 1984

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — GOOD CAUSE FOR GRANTING. — 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.

*Bruce D. Switzer*, for appellant.

*Steve Clark*, Att'y Gen., by: *Theodore G. Holder*, Asst. Att'y Gen., for appellee.

PER CURIAM. Appellant, Michael Daniel Herrington, by his attorney, has filed for a rule on the clerk. His attorney, Bruce D. Switzer, admits that the record was tendered 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 opinion 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.