

Edward L. WING *v.* STATE of Arkansas

684 S.W.2d 265

Supreme Court of Arkansas  
Opinion delivered February 25, 1985

**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; granted.

*Darrell E. Baker, Jr.*, for appellant.

No response.

**PER CURIAM.** Appellant, Edward L. Wing, by his attorney, Darrell E. Baker, Jr., Deputy Public Defender for Washington County, 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 tendered late due to an error 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, *In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979).

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