

Russell McKINNON *v.* STATE of Arkansas

687 S.W.2d 849

Supreme Court of Arkansas
Opinion delivered April 29, 1985

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 the motion for rule on the clerk.

Motion for Rule on the Clerk; granted.

Patricia Tucker, for appellant.

No response.

PER CURIAM. Appellant, Russell McKinnon, by his attorney, has filed for a rule on the clerk.

His attorney, Patricia Tucker, admits that the record was tendered late due to a mistake on her 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.