

William R. GROOMS v. STATE of Arkansas

697 S.W.2d 894

Supreme Court of Arkansas
Opinion delivered October 21, 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 a motion for rule on the clerk.

Motion for Rule on the Clerk; granted.

Peter R. Darling, for appellant.

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

PER CURIAM. Petitioner, William R. Grooms, by his attorney, Peter R. Darling, has filed a motion for rule on the clerk. His attorney admits that the record was tendered late due to his miscalculation of the seven-month maximum limit for filing the record in this Court. See Rule 5, Ark. R. App. P., Ark. Stat. Ann.,

Vol. 3A (Repl. 1979).

[1] We find that such error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. *See per curiam* dated February 5, 1979, 265 Ark. 964; *Terry v. State*, 272 Ark. 243 (1981).

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

PURTLE, J., not participating.
