

Daniel WATSON *v.* STATE of Arkansas

CR. 97-394

942 S.W.2d 259

Supreme Court of Arkansas
Opinion delivered April 29, 1997

APPEAL & ERROR — MOTION FOR BELATED APPEAL — 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 belated appeal.

Motion for Belated Appeal; granted.

Ralph M. Cloar, Jr., for appellant.

No response.

PER CURIAM. Daniel Watson, by his attorney, has filed a motion for a rule on the clerk which we will treat as a motion for belated appeal. The notice of appeal was filed in this case on September 18, 1996, and the judgment was entered on November 19, 1996.

His attorney, Ralph Cloar, admits in his motion that the record was tendered late due to his mistaken reliance on the circuit clerk.

We find that such an error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. *See In*

Re: Belated Appeals in Criminal Cases, 265 Ark. 964 (1979) (per curiam).

The motion is, therefore, granted. A copy of this opinion will be forwarded to the Committee on Professional Conduct.
