

Linda STREET *v.* STATE of Arkansas

CR TEN-97-1

956 S.W.2d 866

Supreme Court of Arkansas  
Opinion delivered December 18, 1997

1. APPEAL & ERROR — MOTION TO DISMISS — GOOD CAUSE FOR GRANTING. — Appellant's failure to perfect the appeal in a timely manner was good cause to grant appellee's motion to dismiss.
2. CONTEMPT — SHOW-CAUSE ORDER ISSUED. — Appellant's attorney was ordered to appear before the supreme court and show cause why he should not be held in contempt for failure to perfect his client's appeal in a timely manner.

Motion to Dismiss; granted.

No response.

*Winston Bryant*, Att'y Gen., by: *David R. Raupp*, Sr. Asst. Att'y Gen., for appellee.

PER CURIAM. Appellee, the State of Arkansas, by and through counsel, *Winston Bryant*, Attorney General, and *David R. Raupp*, Senior Assistant Attorney General, has filed a motion to dismiss Appellant's appeal.

On August 30, 1996, Appellant *Linda Street* conditionally pleaded guilty to two counts of possession of a controlled substance with intent to deliver and one count of possession of drug paraphernalia. Appellant filed a notice of appeal the same date. Appellant was granted a thirty-day extension to lodge her transcript, but she failed to lodge it by its due date on December 28, 1996.

By letter dated January 3, 1997, the clerk of this court advised Appellant's attorney that a motion for rule on the clerk would be necessary to get the record filed and to proceed with the appeal. Appellant's attorney has taken no action in the appeal since tendering the transcript late on January 2, 1997.

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We find that Appellant's failure to perfect this appeal in a timely manner is good cause to grant appellee's motion to dismiss the appeal.

[1] The motion is, therefore, granted.

[2] A. Wayne Davis, attorney for Appellant, is also ordered to appear before this court on the 15th day of January, 1998, at 9:00 a.m. to show cause why he should not be held in contempt of this court for his failure to perfect Appellant Street's appeal in a timely manner.