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Tommy J. DAVIS *v.* STATE of Arkansas

CR 98-127

959 S.W.2d 54

Supreme Court of Arkansas  
Opinion delivered February 26, 1998

APPEAL & ERROR — MOTION FOR RULE ON CLERK — GOOD CAUSE FOR GRANTING. — An admission by the 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.

*Charles E. Davis*, for appellant.

No response.

PER CURIAM. Tommy J. Davis, by his attorney, has filed a motion for a rule on the clerk.

His attorney, Charles E. Davis, admits in his motion that the record was tendered late due to a mistake on his part.

**[1]** 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.