

George Mitchell MOORE *v.* STATE of Arkansas

CR 98-478

970 S.W.2d 299

Supreme Court of Arkansas
Opinion delivered July 2, 1998

APPEAL & ERROR — MOTION FOR RULE ON CLERK — 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 rule on the clerk.

Motion for Rule on the Clerk; granted.

John R. Irwin, for appellant.

No response.

PER CURIAM. George Mitchell Moore, by his attorney, has filed a motion to file belated appeal.

His attorney, John R. Irwin, admits in his motion that the record was tendered late due to a mistake on his part.

[1] We find an error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion, which we

shall treat as a motion for rule on the clerk. *See In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979) (per curiam).

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