

Kevin FRANKLIN *v.* STATE of Arkansas

CR 99-962

998 S.W.2d 738

Supreme Court of Arkansas
Opinion delivered September 9, 1999

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.

Louis A. Etoch, for appellant.

No response.

PER CURIAM. Appellant, Kevin Franklin, by his attorney, Louis Etoch, has filed a motion for rule on the clerk. His attorney admits that the record was tendered late due to a mistake on his part.

[1] We find that such error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. See *Terry v. State*, 272 Ark. 243, 613 S.W.2d 90 (1981); *In Re: Belated Appeals in Criminal Cases*, 295 Ark. 964 (1979)(per curiam).

A copy of this per curiam will be forwarded to the Committee on Professional Conduct. *In Re: Belated Appeals in Criminal Cases, supra*.