

Gregory DONALD *v.* STATE of Arkansas

CR. 00-677

20 S.W.3d 331

Supreme Court of Arkansas
Opinion delivered June 29, 2000

APPEAL & ERROR — MOTION FOR BELATED APPEAL — GOOD CAUSE FOR GRANTING. — An admission of responsibility by the attorney for a criminal defendant for failure to timely file notice of appeal is good cause to grant a motion for belated appeal.

Motion for Belated Appeal; granted.

Gibson Law Office, by: *Charles S. Gibson*, for appellant.

No response.

PER CURIAM. Appellant Gregory Donald has filed a motion for belated appeal. The record reflects that the judgment and commitment order was filed on November 9, 1999, but that the notice of appeal was not filed until January 18, 2000. Appellant's counsel, Charles S. Gibson, has filed an affidavit pursuant to Ark. R. App. P.—Crim. 2(e) admitting responsibility for the failure to timely file the notice of appeal.

We find that such error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. See *Pack v. State*, 336 Ark. 268, 983 S.W.2d 126 (1999) (*per curiam*); *Brewer v. State*, 334 Ark. 234, 973 S.W.2d 482 (1998) (*per curiam*); *Harkness v. State*, 264 Ark. 561, 572 S.W.2d 835 (1978). A copy of this *per curiam* opinion will be forwarded to the Committee on Professional Conduct. See *In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964 (1979) (*per curiam*).

Motion granted.