

## Michael BRANCH v. STATE of Arkansas

CR. 96-737

925 S.W.2d 427

Supreme Court of Arkansas  
Opinion delivered July 15, 1996

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.

*J.F. Atkinson, Jr.*, for appellant.

No response.

PER CURIAM. Appellant Michael Branch, by his attorney, has filed for a rule on the clerk.

His attorney J. F. Atkinson, Jr., admits that the failure to file the record in time was 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). A copy of this opinion will be forwarded to the Committee on Professional Conduct.

DUDLEY, J., not participating.

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