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Lindell TANNER *v.* STATE of Arkansas

CR 96-965

926 S.W.2d 666

Supreme Court of Arkansas  
Opinion delivered September 9, 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.

*Richard R. West*, for appellant.

No response.

PER CURIAM. Appellant, Lindell Tanner, by his attorney, has filed for a rule on the clerk. His attorney, Richard R. West, 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 our Per Curiam opinion dated February 5, 1979, *In Re: Belated Appeals in Criminal Cases*, 265 Ark. 964. A copy of this opinion will be forwarded to the Committee on Professional Conduct.