

Don JENNINGS *v.* STATE of Arkansas

CR 96-1396

933 S.W.2d 393

Supreme Court of Arkansas
Opinion delivered December 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.

Christopher Carter, for appellant.

No response.

PER CURIAM. Appellant, Don Jennings, by his attorney, Christopher Carter, has filed a motion for a rule on the clerk. His attorney admits by motion that the record was tendered late due to a mistake on his part by relying on the court reporter's calculation of the due date.

[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). The motion is therefore granted.

A copy of this opinion will be forwarded to the Committee on Professional Conduct.