
Michael HENDERSON *v.* STATE of Arkansas

CR. 97-53

936 S.W.2d 554

Supreme Court of Arkansas
Opinion delivered February 3, 1997

APPEAL & ERROR — MOTION FOR BELATED APPEAL — 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 belated appeal.

Motion for Rule on the Clerk treated as Motion for Belated Appeal; granted.

William McArthur, for appellant.

No response.

PER CURIAM. Michael Henderson, by his attorney, has filed a motion for a rule on the clerk. We treat this motion as a motion for belated appeal.

His attorney, William McArthur, admits in his motion that the record was tendered late 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).

The motion is therefore granted. A copy of this opinion will be forwarded to the Committee on Professional Conduct.