
Johnny COOK *v.* STATE of Arkansas

CR 96-1507

937 S.W.2d 187

Supreme Court of Arkansas
Opinion delivered February 17, 1997

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.

Keith Watkins, for appellant.

No response.

PER CURIAM. Appellant, Johnny Cook, by his attorney, Keith Watkins, has filed a second motion for rule on clerk. In response to our order issued January 27, 1997, *Cook v. State*, 327 Ark. 125, 937 S.W.2d 641 (1997) (per curiam), Watkins admits by motion and affidavit 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.