

Sherry Marie HALE *v.* STATE of Arkansas

CR 97-191

938 S.W.2d 858

Supreme Court of Arkansas
Opinion delivered March 10, 1997

APPEAL & ERROR — MOTION FOR RULE ON CLERK — GOOD CAUSE FOR GRANTING. — An admission by the 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.

A. Wayne Davis, for appellant.

No response.

PER CURIAM. Sherry Marie Hale, by her attorney, has filed a motion for a rule on the clerk.

Her attorney, *A. Wayne Davis*, 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.