

O.C. WILLINGHAM *v.* STATE of Arkansas

CR 96-1222

939 S.W.2d 311

Supreme Court of Arkansas
Opinion delivered March 17, 1997

APPEAL & ERROR — MOTION FOR RULE ON THE 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.

Charles L. Honey, for appellant.

No response.

PER CURIAM. Appellant, O.C. Willingham, by his attorney, Charles L. Honey, has filed an amended motion for rule on the clerk. His attorney admits that the record was tendered late due to an error on his part.

[1] We find that such error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. See per curiam order dated February 5, 1979. *In re: Belated Appeals in Criminal Cases*, 265 Ark. 964; *Terry v. State*, 272 Ark. 243, 613 S.W.2d 90 (1981).

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