

James TOWE v. STATE of Arkansas

RC 90-25

788 S.W.2d 743

Supreme Court of Arkansas
Opinion delivered May 29, 1990

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.

Robert C. Marquette, for appellant.

No response.

PER CURIAM. Petitioner James Towe, by his attorneys, has filed a motion for a rule on the clerk. His attorney, Robert C. Marquette, has by affidavit admitted it was his fault that the record was not timely tendered.

[1] We find that the error, admittedly made by the criminal defendant's attorney, is good cause to grant the motion for a rule on the clerk.

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