

Wesley L. ROBERTS and His Parent Penny Roberts *v.*  
STATE of Arkansas

CR 02-742

84 S.W.3d 43

Supreme Court of Arkansas  
Opinion delivered September 5, 2002

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.

*Michael Loggains*, for appellant.

No response.

**P**ER CURIAM. Appellants Wesley L. Roberts and Penny Roberts, by and through their attorney, have filed a motion for rule on clerk. Attorney, Michael Loggains, states in the motion that the record was tendered late due to a mistake on his part.

[1] We find that such an error, admittedly made by an 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.