
Antonio Dewayne WALKER v. STATE of Arkansas

CR 02-955

85 S.W.3d 919

Supreme Court of Arkansas
Opinion delivered October 3, 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.

Robert L. Scull, for appellant.

No response.

PER CURIAM. Antonio DeWayne Walker, by his attorney, has filed a motion for rule on the clerk. His attorney, Robert L. Scull, admits in his motion that the record was tendered more than seven months beyond date of the original judgment due to a mistake on his part.¹

[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 for rule on the clerk is, therefore, granted. A copy of this opinion will be forwarded to the Committee on Professional Conduct.

¹ The notice of appeal was not filed before entry of the original judgment. Thus, the notice of appeal would not be treated as filed on the day after judgment is entered pursuant to Ark. R. App. P.—Crim. 2(b)(1)(2002).