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James Ricky MAULDIN *v.* STATE of Arkansas

CR 03-1197

128 S.W.3d 827

Supreme Court of Arkansas  
Opinion delivered November 13, 2003

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.

*Frank E. Shaw*, for appellant.

No response.

**P**ER CURIAM. Appellant, James Ricky Mauldin, by and through his attorney, has filed a motion for rule on clerk. Attorney, Frank E. Shaw, 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.