

Mikey Dale FORREST v. STATE of Arkansas

690 S.W.2d 1

Supreme Court of Arkansas  
Opinion delivered May 28, 1985

APPEAL & ERROR — MOTION FOR RULE ON THE CLERK — ATTORNEY'S  
RESPONSIBILITY TO FILE RECORD. — The attorney is responsible for  
filing the record; he cannot shift that responsibility to the trial judge  
or to the court reporter.

Motion for Rule on the Clerk; denied.

*John F. Gibson, Jr.*, for appellant.

No response.

[1] PER CURIAM. With respect to this motion for a rule on  
the clerk, the attorney for the appellant insists that it is the court  
reporter's responsibility to prepare the record and to notify the  
attorney if more time is needed. Counsel therefore refuses

to recognize his responsibility for filing the record on time. Counsel is in error. We have repeatedly held that the attorney is responsible for filing the record and cannot shift that responsibility to the trial judge or to the court reporter. See, for example, *Christopher v. Jones*, 271 Ark. 911, 611 S.W. 2d 521 (1981). As stated in our per curiam order on belated appeals in criminal cases, 265 Ark. 964, we put “the responsibility where it belongs, on the shoulders of the lawyer who is at fault.”

No good cause having been shown for the tardy filing of the record in this case, the motion for a rule on the clerk is denied.

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