

Richard COZZAGLIO v. STATE of Arkansas

692 S.W.2d 251

Supreme Court of Arkansas
Opinion delivered July 15, 1985

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.

Darrell E. Baker, Jr., Deputy Public Defender, for appellant.

No response.

PER CURIAM. Appellant, Richard Cozzaglio, by his attorney, has filed for a rule on the clerk.

His attorney, Darrell E. Baker, Jr., admits that the record was tendered late due to a mistake on his part.

[1] We find that such an error, admittedly made by the attorney for a criminal defendant, is good cause to grant the motion. See our per curiam opinion dated February 5, 1979, In Re: Belated Appeals in Criminal Cases, 265 Ark. 964.

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

SMITH and DUDLEY, JJ., not participating.
