

SUPREME COURT OF ARKANSAS

No. CR-13-690

DEREK COY HOLCOMB

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered September 5, 2013MOTION FOR BELATED APPEAL
AND MOTION TO SUPPLEMENT
THE RECORDGRANTED.**PER CURIAM**

Appellant Derek Coy Holcomb, by and through his attorney, John Wesley Hall, Jr., has filed a motion for rule on clerk with this court. Appellant was convicted of stalking a child on the Internet, and the Crawford County Circuit Court entered a sentencing order on March 26, 2013. Hall, in the motion for rule on clerk, admits that the notice of appeal was untimely filed on May 15, 2013, due to his error with no fault attributable to the appellant. Because a timely notice of appeal was not filed, we treat the motion for rule on clerk as a motion for belated appeal, pursuant to Rule 2(e) of the Rules of Appellate Procedure—Criminal (2012). See *Gray v. State*, 2010 Ark. 216 (per curiam); *Johnson v. State*, 342 Ark. 709, 30 S.W.3d 715 (2000) (per curiam).

Where an attorney candidly admits fault for failing to perfect an appeal, we will grant the motion for belated appeal, and a copy of the opinion will be forwarded to the Committee on Professional Conduct. See *McDaniels v. State*, 2013 Ark. 197; *McDonald v. State*, 356 Ark. 106, 146 S.W.3d 883 (2004). Accordingly, we grant the motion and forward a copy of this

opinion to the Committee. We further grant appellant's motion to supplement the record.

Motion for belated appeal granted; motion to supplement the record granted.

John Wesley Hall, Jr., for appellant.

No response.