

SUPREME COURT OF ARKANSAS

No. CR13-301

WILLIE McDANIELS

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered May 9, 2013

MOTION FOR BELATED APPEAL

GRANTED.**PER CURIAM**

Appellant, Willie McDaniels, by and through his attorney, Lee D. Short, has filed a motion for belated appeal. On June 15, 2012, appellant filed a petition for post-conviction relief under Rule 37. The State responded on July 12, 2012. On November 30, 2012, the trial court issued an order denying the petition without a hearing. The notice of appeal was filed on January 4, 2013. Attorney Short admits that the notice of appeal was untimely filed due to his error, with no fault attributable to the appellant.

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 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.

Motion granted.

James Law Firm, by: *Lee D. Short*, for appellant.

No response.