

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Edgar W. Dickson, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

HENRY HAYGOOD,

APPELLANT

RECEIVED
JUN 17 2013

MOTION TO ACCEPT THE INITIAL REPLY BRIEF
OF APPELLANT AS FILED OUT OF TIME

SC Court of Appeals

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned counsel requests the relaxation of Rule 263(b), SCACR, and allow leave in which to file the Initial Reply Brief of Appellant in this case out of time. In support of this motion counsel submits the following:

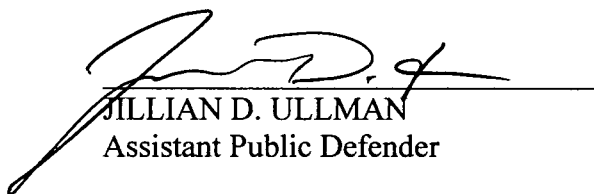
1. The Initial Brief Appellant and Designation of Matter in this case were filed with this Court on April 20, 2012.
2. The Initial Brief of Respondent was filed on May 24, 2013, and received by our office on May 28, 2013. However, Counsel inadvertently miscalculated the due date of the Initial Reply Brief of Appellant. Counsel for Appellant has prepared the Initial Reply Brief of Appellant, and is filing it simultaneously with this motion.

4. Counsel has telephonically contacted Opposing Counsel on June 13, 2013, who stated that she consents to this motion.

5. Counsel makes this request in good faith and not for purpose of delay.

WHEREFORE, the undersigned counsel respectfully requests that the Court grant counsel's request to relax Rule 263(b), SCACR, and allow leave in which to file the Initial Reply Brief of Appellant in this case out of time based upon the above exigent circumstances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J.D. Ullman", is written over a horizontal line. The signature is fluid and cursive.

JILLIAN D. ULLMAN
Assistant Public Defender

ATTORNEY FOR APPELLANT

This ¹⁴~~13~~th day of June, 2013.