

RECEIVED
May 24 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County

Honorable G. Thomas Cooper, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TASHONBY PEDRICK WILSON,

APPELLANT

Appellate Case No. 2019-000749

MOTION TO FILE THE RECORD ON APPEAL
OUT OF TIME

Pursuant to Rule 240, SCACR, Counsel for Tashonby Pedrick Wilson respectfully requests the Court to relax Rule 210, SCACR, and accept the Record on Appeal in this case out of time. In support of this request, counsel shows:

1. On October 7, 2022, prior appointed counsel, James Falk, Esquire, filed the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. On March 23, 2023, opposing counsel filed the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal.
2. The Record on Appeal was due to be served and filed with this Court on March 24, 2023, in accordance with Rule 210, SCACR.

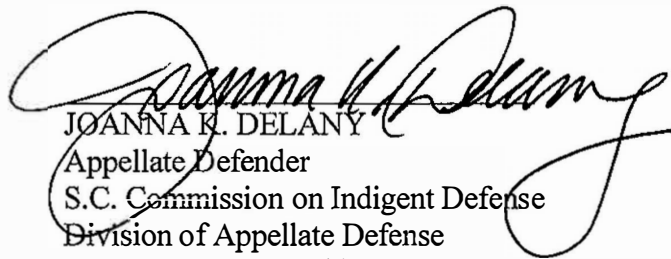
3. On May 4, 2023, Peyre T. Lumpkin, Esquire, was appointed by order of the South Carolina Supreme Court to assume responsibility for the client files of prior appointed counsel James Falk.

4. On May 17, 2023, in accordance with Rule 31, RLDE, Rule 413 SCACR, counsel Lumpkin contacted the Office of Appellate Defense asking that this case be assigned to an Appellate Defender.

5. The Record on Appeal is being contemporaneously filed with this motion.

4. On April 28, 2023, opposing counsel, the Attorney General's Office, graciously consented to this extension request by way of general consent to any requests to motions for extensions or out of time filing for briefs, returns, petitions, appendices, and records on appeal granted in writing by Deputy Attorney General Donald J. Zelenka for all Appellate Defense matters through May 31, 2023.

WHEREFORE, undersigned counsel respectfully requests the Court to relax Rule 210, SCACR, and accept the Record on Appeal in the above referenced case out of time.


JOANNA K. DELANY
Appellate Defender
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

ATTORNEY FOR APPELLANT

This 24th day of May, 2023.

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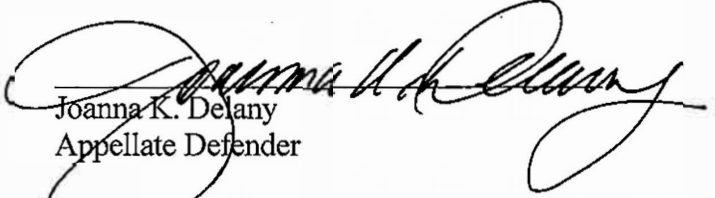
TASHONBY PEDRICK WILSON,

APPELLANT

Appellate Case No. 2019-000749

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion to File the Record on Appeal Out of Time in the above referenced case has been served upon J. Anthony Mabry, Esquire, at the primary email address listed within the Attorney Information System (AIS), this 24th day of May, 2023.



Joanna K. Delany
Appellate Defender
ATTORNEY FOR APPELLANT