

RECEIVED

Aug 01 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

The Honorable R. Markley Dennis, Circuit Court Judge

Appellate Case No. 2019-000511

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

AARON MCKENZIE CAPERS,

APPELLANT.

PETITION FOR LEAVE OF COURT
TO FILE
FINAL BRIEF OF APPELLANT OUT OF TIME

Counsel apologizes for what was apparently an inadvertent error in calculating the due date for Appellant's Final Brief. This Honorable Court granted Counsel's request that the ROA be accepted for filing out of time by Order dated July 17, 2023. The due date for the Final Brief of Appellant was inadvertently calendared for twenty (20) days from the date of that Order. It was therefore set on my calendar for August 7, 2023 as the twentieth day following July 17, 2023 fell on Sunday, August 6, 2023. Counsel did not realize the date for filing the Final Brief should not have been calendared from the date of that order until she received this Court's correspondence dated Friday, July 28, 2023, on Monday, July 31, 2023.

Counsel for Appellant has served and filed the Final Brief of Appellant on today's date, August 1, 2023. Counsel was unable to get the hard copies from her outside printer in time to meet the last mail pickup in her area this afternoon. She asks that this Honorable Court allow her to file the Final Brief of Appellant out of time on today's date and that the Court accept her submission of one unbound and one bound copy of the Final Brief of Appellant on August 2, 2023.

Respectfully submitted,

Tara D. Shurling

Attorney at Law

S.C. Bar No. 5099

This 1st Day of August, 2023

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

Aug 01 2023

APPEAL FROM BERKELEY COUNTY
Court of General Sessions

SC Court of Appeals

The Honorable R. Markley Dennis, Circuit Court Judge

Appellate Case No. 2019-000511

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

AARON MCKENZIE CAPERS,

APPELLANT.

CERTIFICATE OF SERVICE
OF
PETITION TO FILE FINAL BRIEF OF APPELLANT
OUT OF TIME

Undersigned Counsel hereby certifies that a copy of the Petition to file Final Brief of Appellant out of time has been has been digitally served upon opposing counsel, Mark R. Farthing, Senior Deputy Attorney General, this 1st day of August, 2023, by sending the same to the email address listed below.

mfarthing@scag.gov

Tara D. Shurling

Attorney At Law
SC Bar No. 5099

Law Office of Tara Dawn Shurling, P.A.
3614 Landmark Drive
Suite A
Columbia, S.C. 20204

Office Phone (803)738-8622
Business Cell (803) 446-3614
Email tdshurling@aol.com

This 1st day of August, 2023.

ATTORNEY FOR APPELLANT