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Sep 13 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County

Honorable R. Ferrell Cothran, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DAUNTE MAURICE JOHNSON,

APPELLANT

Appellate Case No. 2022-000931

PETITION TO FILE RECORD ON APPEAL
OUT OF TIME

Pursuant to Rule 240, SCACR, counsel for Daunte Maurice Johnson petitions the Court to allow late filing of the Record on Appeal in this case. In support of this petition, counsel would submit the following facts.

1. Counsel filed the initial brief of appellant and designation of matter to be included in the record on appeal on January 4, 2023. The initial brief of respondent and designation of matter to be included in the record were filed on July 24, 2023. Therefore, the record on appeal would have been due on August 23, 2023.

2. Due to a clerical error, the record on appeal due date was not updated to reflect August 23, 2023 when the respondent's brief was filed.

3. At this point, the Record on Appeal has been prepared and is being filed along with this petition.

WHEREFORE, the undersigned counsel petitions the Court to allow late filing of the Record on Appeal.

A handwritten signature in blue ink, appearing to read "Breen R. Stevens", with a long horizontal flourish extending to the right.

Breen R. Stevens
Appellate Defender

ATTORNEY FOR APPELLANT

September 13, 2023

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CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and rule 262(c)(3), SCACR, the undersigned attorney hereby certifies that a true copy of the Petition 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 e-mail address listed in the Attorney Information System (AIS), this 13th day of September, 2023.



Breen R. Stevens
Appellate Defender

ATTORNEY FOR APPELLANT

From: [Leverett, Scott](#)
To: amabry@scag.gov
Cc: [SC - COLLINS CAROLINE](#); [Stevens, Breen](#)
Subject: Daunte Maurice Johnson - Petition to File ROA out of Time - Appellate Case No. 2022-000931
Date: Wednesday, September 13, 2023 6:07:00 PM
Attachments: [Daunte Maurice Johnson - Petition to File ROA out of Time - Appellate Case No. 2022-000931.pdf](#)

Dear Mr. Mabry,

Attached please find a copy of the petition to file the Record on Appeal out of time in the above referenced case that is being filed today, September 13, 2023, with the Court of Appeals.

-Scott Leverett
Admin. Asst. for Breen Stevens
Appellate Defense