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Oct 11 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of General Sessions

Brooks P. Goldsmith, Circuit Court Judge

Appellate Case No. 2023-00475

State of South Carolina, Respondent,

v.

Thomas L. Davis, Appellant.

MOTION TO FILE OUT OF TIME

Appellant files and serves this Motion requesting permission to file the Initial Brief and Designation of Matter outside of the deadline set by Rules 208 and 209 of the South Carolina Appellate Court Rules. Undersigned counsel has been involved in a number of General Sessions cases and trials as of late, due to the lower courts fully re-opening and heavy backlog of pending cases. Undersigned counsel has consulted with opposing counsel for the State, who has indicated that the State does not object to the Appellant's request to file the Initial Brief and Designation of Matter out of time. Concurrent with this Motion, Appellant has filed and served his Initial Brief, Designation of Matter to be Included in the Record on Appeal and Proof of Service.

Respectfully Submitted,

[*Signature Line Appears on Next Page -2-*]

S/ Jared S. Newman

Jared S. Newman
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(843) 522-1313
A.I.S. E/M: jnewman@jnewmanlaw.com
Attorney for the Appellant

October 10, 2023.

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v.

Thomas L. Davis, Appellant.

PROOF OF SERVICE

I, Jared S. Newman certify that I have pursuant to Rule 262 of the SCRAProc. Served opposing counsel with (1) a copy of Appellant's Motion to File Out of Time on October 11th 2023 at his A.I.S. E-Mail address as follows:

Mark R. Farthing, AAG
mfarthing@scag.gov

S/ Jared S. Newman

Jared S. Newman
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AIS E/M: jnewman@jnewmanlaw.com
Attorney for the Appellant

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Respondent,

v.

Thomas L. Davis,

Appellant.

PROOF OF SERVICE

I, Jared S. Newman certify that I have pursuant to Rule 262 of the SCRAProc. Served opposing counsel with (1) a copy of Appellant's Initial Brief; (2) Designation of Matter to be Included on Appeal; and (3) Appellant's Motion to File Out of Time on October 11th 2023 at his A.I.S. E-Mail address as follows:

Mark R. Farthing, AAG
mfarthing@scag.gov

S/ Jared S. Newman

Jared S. Newman
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October 11, 2023.

Jared Sullivan Newman, P.A.

Trial Attorney

Certified Civil Court Mediator

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October 11, 2023

Hon. Jenny Abbott Kitchings,
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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SC Court of Appeals

Re: The State v. Thomas L. Davis
Appellate Case No. 2023-000475

Dear Madam Clerk;

Greetings. The following were submitted for filing via the Court's e-mail filing portal:

- (1) Motion to File Out of Time;
- (2) Initial Brief of Appellant;
- (3) Designation of Matter to be Included in the Record on Appeal; and
- (4) Proof of Service.

If you need any further information, please contact me at you convenience. With kind regards, I remain,

Sincerely,



Jared S. Newman
Attorney for Appellant

cc: Mark Reynolds Farthing, Esquire
Alan McCrory Wilson, Esquire