

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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JUL 25 2013

Appeal from Laurens County
Honorable Eugene C. Griffith, Jr., Circuit Court Judge
Appellate Case Tracking No. 2012-212013

SC Court of Appeals

The State,

Appellant,

vs.

Raymond Franklin,

Respondent.

**MOTION TO SERVE AND FILE
FINAL BRIEF OF APPELLANT OUT OF TIME**

Appellant, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Final Brief of Appellant was due to be served and filed on or before June 12, 2013. Due to an oversight by the undersigned, this Court was not notified of the receipt of the transcript which held the appeal in abeyance. Because the appeal should have no longer been held in abeyance, the Record on Appeal was served and filed and the final brief should have been served and filed.

II.

The Final Brief of Appellant is being served and filed concurrent with this motion. In view of the foregoing, it is respectfully requested this Court allow the Appellant to serve and file the Final Brief of Appellant out of time.

III.

Counsel for Appellant has spoken with opposing counsel, and opposing counsel has indicated his consent to this Motion to Serve and File the Final Brief of Appellant out of time.

WHEREFORE, Appellant respectfully requests the Court allow the service and filing of the Final Brief of Appellant out of time.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General

BY: 

William M. Blitch, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

July 25, 2013

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PROOF OF SERVICE

I, ELLEN DuBOIS, certify that I have served the within Motion to Serve and File Final Brief of Appellant Out of Time on Respondent by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Matthew P. Turner, Esquire
Turner & Burney, P.C.
Post Office Box 668
Laurens, South Carolina 29360

I further certify that all parties required by Rule to be served have been served.
This 25th day of July, 2013.

Ellen DuBois

ELLEN DuBOIS
Administrative Assistant
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

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SC COURT of Appeals



ALAN WILSON
ATTORNEY GENERAL

July 25, 2013

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State v. Raymond Franklin
Appellate Case Tracking Number 2012-212013

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion to along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: Matthew P. Turner, Esquire
Victim Services

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