

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Fairfield County

Honorable Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

TIMOTHY JAMES THOMPSON,

APPELLANT.

APPELLATE CASE NO. 2022-000397

MOTION TO FILE RECORD ON APPEAL
OUT OF TIME

Pursuant to Rule 240, SCACR, undersigned counsel moves the Court to allow late filing of the Record on Appeal in this case. In support of this motion, 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 March 29, 2023. The initial brief of respondent and designation of matter to be included in the record were filed on November 13, 2023. Therefore, the record on appeal would have been due on December 13, 2023.
2. Due to a clerical error, the record on appeal was not timely filed.
3. Counsel is filing the Record on Appeal simultaneously with this motion.

4. Opposing Counsel, Melody J. Brown, kindly consents to the filing out of time.

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



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

January 26, 2024

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SC Court of Appeals

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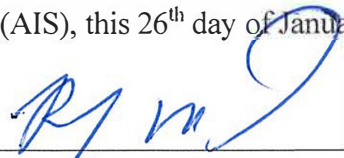
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CERTIFICATE OF SERVICE

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 Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 26th day of January, 2024.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT