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May 20 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Appeal from Florence County

Honorable H. Steven DeBerry, IV, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

SEAN DEVON JAMES,

APPELLANT

Appellate Case No. 2022-001279

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PETITION TO FILE PETITION FOR WRIT OF CERTIORARI  
TO THE COURT OF APPEALS  
OUT OF TIME

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Pursuant to Rule 240, SCACR, counsel for Sean Devon James petitions the Court to allow late filing of the Petition for Writ of Certiorari to the Court of Appeals and Appendix in this case. In support of this petition, counsel would submit the following facts.

1. Counsel filed the Petition for Rehearing on March 21, 2024. The Order of the Court of Appeals denying rehearing was filed on April 17, 2024. Therefore, the Petition for Writ of Certiorari to the Court of Appeals would have been due on May 17, 2024.
2. Due to a clerical error, the Petition for Writ of Certiorari to the Court of Appeals due date was not updated to reflect May 17, 2024.

3. At this point, the Petition for Writ of Certiorari to the Court of Appeals and Appendix have been prepared and are being filed along with this petition.

WHEREFORE, undersigned counsel respectfully requests that the Court allow late filing of the Petition for Writ of Certiorari to the Court of Appeals and accompanying Appendix.



Breen R. Stevens  
Appellate Defender

ATTORNEY FOR APPELLANT

May 20, 2024

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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CERTIFICATE OF SERVICE

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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 Petition for Writ of Certiorari to the Court of Appeals Out of Time and accompanying Appendix in the above referenced case has been served upon J. Emory Smith, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 20th day of May, 2024.



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Breen R. Stevens  
Appellate Defender

ATTORNEY FOR APPELLANT