

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SPARTANBURG COUNTY  
Court of General Sessions  
R. Kieth Kelly, Circuit Court Judge

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Appellate Case No. 2024-000439

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The State, .....Respondent

v.

Cody Hudson, .....Appellant.

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**Motion to File Out of Time**

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Cody Hudson moves this Court for an order allowing him to file out of time the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. Copies of these pleadings are being filed contemporaneously with this motion.

Undersigned counsel apologizes for any inconvenience to this Court and counsel. Counsel has been preparing for *Atkins*<sup>1</sup> hearings in *Gary Terry v. State*, Case No. 2022-CP-3200924, on July 17-18, 2024, and *Bobby Stone v. State*, Case No. 2018-CP 43-001025, commencing on July 30, 2024.

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<sup>1</sup> *Atkins v. Virginia*, 536 U.S. 304 (2002).

Respectfully Submitted,

By s/E. Charles Grose, Jr.

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July 19, 2024  
Greenwood, South Carolina

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**Jul 19 2024**

**SC Court of Appeals**

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**Certificate of Service**

I certify that I served this pleading on the State of South Carolina, by email, using counsel’s primary email address listed in the Attorney Information System (AIS), as reflected below, on the date reflected below:

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By s/E. Charles Grose, Jr.

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July 19, 2024  
Greenwood, South Carolina