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Dec 03 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dorchester County
Diane S. Goodstein, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

DERRICK G. BOYD,

APPELLANT.

Appellate Case No.: 2023-000698

Petition to Serve and File the Record on Appeal

Counsel would respectfully request to serve and file the Record on Appeal out of Time. In support of this motion, Counsel would respectfully show the Court the following:

1. The Record on Appeal in this case was due to be filed on November 12, 2024.
2. The Week of November 12, 2024, Counsel had been working on preparing a murder trial that was scheduled to begin on November 18, 2024. In that case the state disclosed a large amount of technical discovery to Counsel on November 12th which ultimately caused the case to be continued. During that time Counsel believes that he missed this filing deadline on his calendar due to being focused on the murder trial.
3. The Record on Appeal is now completed and is being sent electronically with this document.

4. Additionally, Counsel will be sending a hard copy of the Record on Appeal to the Court tomorrow.
5. This request is made in good faith, and not for purposes of delay.
6. Counsel has communicated with Respondent's Counsel who does not oppose that request.

WHEREFORE, the undersigned counsel request to file and serve the Record on Appeal in this case out of time.

December 3, 2024

s/ Tristan Shaffer
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Respondent's Attorney:
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Certificate of Service

I certify that on the date below I served the Petition to Serve and File the Record on Appeal on the State of South Carolina by e-mailing a copy to the Respondent at the address below.

December 3, 2024

s/ Tristan Shaffer
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Attorney for Appellant

Respondent's Attorney:
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Tristan Shaffer <tristan@shafferlawsc.com>

Derrick Boyd

Tristan Shaffer <tristan@shafferlawsc.com>
To: Ambree Muller <AmbreeMuller@scag.gov>

Tue, Dec 3, 2024 at 8:10 AM

Ambree,
In addition to the Record on Appeal that is in the last email, please find the attached Petition to Serve and File the Record on Appeal Out of Time and the proposed transport order which are attached to this email.

Tristan
[Quoted text hidden]

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Tristan M. Shaffer

2 attachments

 **ROA out of Time Boyd.pdf**
113K

 **Transport Order Boyd.pdf**
141K