

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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OCT 04 2013

SC Court of Appeals

Appeal from York County
Honorable John C. Hayes, III, Circuit Court Judge
Appellate Case Tracking No. 2009-147686

The State,

Respondent,

vs.

Jermaine T. Fuller,

Appellant.

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

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

I.

The Final Brief of Respondent was due to be served and filed on or before August 25, 2013. The undersigned completed the Brief in a timely manner, but due to an oversight failed to get it printed and delivered to the Court.

II.


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

WHEREFORE, Respondent respectfully requests the Court allow the service and filing of the Final Brief of Respondent 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 RESPONDENT

October 4, 2013

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Appellant.

PROOF OF SERVICE

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

David Alexander, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.
This 4th day of October, 2013.


SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

October 4, 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. Jermaine T. Fuller
Appellate Case Tracking Number 2009-147686

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion to Serve and File Final Brief of Respondent Out of Time along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: David Alexander, Esquire
Victim Services

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