

ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Sumter County
William Jeffrey Young, Circuit Court Judge

RECEIVED
OCT 25 2013
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

THOMAS GEDDIE,

APPELLANT

Appellate Case No. 2012-212226

**MOTION TO ACCEPT THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER OUT OF TIME**

Pursuant to Rule 240, SCACR, Counsel for Thomas Geddie respectfully requests the Court to accept the Initial Brief of Appellant and Designation of Matter in this case **that is being filed today contemporaneously with this motion** out of time. In support of this request, counsel shows:

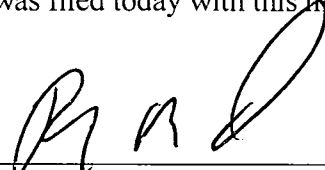
(1) The Initial Brief of Appellant was due to be served and filed with this Court in accordance with Rule 211, SCACR.

(2) However, counsel intended to file this initial brief of appellant and designation of matter, however, unexpected events precluded counsel from filing the brief as planned.

(3) Counsel failed to request an extension, and regrets an inconvenience this caused the Court.

(4) Counsel has consulted with opposing Counsel, Donald J. Zelenka, and understands that he has no objection to this motion.

WHEREFORE, counsel for Appellant respectfully requests the Court accept the Initial Brief of Appellant as filed out of time that was filed today with this motion.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

I do not oppose:



Donald J. Zelenka

October 25, 2013