

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Edgefield County

R. Knox McMahon, Circuit Court Judge

RECEIVED

OCT 30 2013

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

JULIO ANGELO HUNSBERGER,

APPELLANT

APPELLATE CASE NO. 2012-207290

**MOTION TO ACCEPT THE
FINAL REPLY BRIEF OF APPELLANT OUT OF TIME**

Pursuant to Rule 240, SCACR, Counsel for Julio Angelo Hunsberger respectfully requests the Court to accept the Final Reply Brief of Appellant in this case out of time. In support of this request, counsel shows:


(1) The Final Reply Brief of Appellant was due to be served and filed with this Court on October 08, 2013 in accordance with Rule 211, SCACR.

(2) However, Counsel for Appellant overlooked this item on her calendar. When the error was brought to her attention, it was too late to submit the Final Reply Brief to this Court in a timely manner. Counsel acted immediately upon realizing the error to prepare the Final Reply Brief and file it with this Court along with this Motion.

(3) Counsel makes this request in good faith and not for purposes of delay.

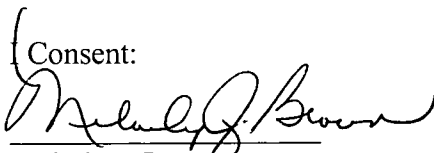
(4) Counsel for the Attorney General's Office consents to this request as shown by his signature below.

WHEREFORE, counsel for Appellant respectfully requests the Court accept the Final Reply Brief of Appellant as filed out of time.


Kathrine H. Hudgins
Appellate Defender
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Columbia, South Carolina 29201
(803) 734-1343

ATTORNEY FOR APPELLANT

October 30, 2013

Consent:

Melody J. Brown

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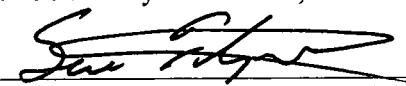
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Accept the Final Reply Brief of Appellant Out of Time in the above referenced case has been served upon Melody J. Brown, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, Esquire, this 30th day of October, 2013:


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 30th day of October, 2013.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: October 30, 2022.