

MOTION TO ALLOW LATE FILING TO CORRECT DEFICIENCIES

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of General Sessions

Charles J. McCutchen, Circuit Court Judge

Appellate Case No. 2025-002185

The State,

Respondent,

v.

Hesed Yoseph Deas,

Appellant.

MOTION TO ALLOW LATE FILING

Appellant Hesed Yoseph Deas, by and through the undersigned counsel, hereby moves this Court to allow the late filing of the redacted sentence orders, guilty plea explanation, and proof of filing of the notice of appeal in this matter. In support of this motion Appellant states as follows:

1. On October 17, 2025 Appellant pled guilty to Assault & Battery in the third degree and pled pursuant to North Carolina v. Alford to Trafficking Methamphetamine and Possession with intent to distribute Fentanyl and was sentenced by the Honorable Charles J. McCutchen to four years in the South Carolina Department of Corrections.
2. Appellant timely filed a Notice of Appeal and served the same on counsel of record on October 24, 2025.
3. Appellant filed the Notice of Appeal with the Dorchester County Clerk of Court on October 28, 2025.
4. On October 30, 2025 the undersigned received a deficiency letter from the Court of Appeals, specifically requesting redacted copies of the orders challenged on appeal; a written explanation of the pleas pursuant to Rule 203(d)(1)(B)(iv), SCACR; and proof the notice of appeal was filed with the lower court.
5. During this time the undersigned was planning her daughter's out of town wedding and due to these circumstances and a misunderstanding by the undersigned's office

RECEIVED

Dec 12 2025

SC Court of Appeals

staff, the items requested to correct the deficiencies were not provided to the Court within ten days of the date of the deficiency letter.

6. Pursuant to Rule 263(b) of the South Carolina Appellate Court Rules, the time prescribed “for performing any act ... may be extended or shortened by the appellate court....”
7. Appellant requests that the Court allow him to file the orders under appeal, the guilty plea explanation, and proof of filing with the lower court, copies of which are attached hereto, in order to correct the deficiencies in his previous filings.

Therefore, for the foregoing reasons, Appellant respectfully requests that the Court grant this motion to extend the time prescribed for filing and accept the filing of the redacted sentence orders, guilty plea explanation, and proof of filing of the notice of appeal in this matter out of time.

Respectfully submitted,

December 12, 2025

s/ Melisa W. Gay
Melisa W. Gay
S.C. Bar No. 63773
222 W. Coleman Blvd., Suite 121
Mt. Pleasant, SC 29464
Tel. (843) 345-5472
Fax (843) 416-8379
mgaylaw@yahoo.com
Attorney for Appellant