

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Greenville County

C. Victor Pyle, Jr., Circuit Court Judge

ORIGINAL

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FEB 06 2014
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

DOMINQUE J. SHUMATE,

APPELLANT

APPELLATE CASE NO. 2012-212057

MOTION TO ACCEPT THE RECORD
ON APPEAL AS FILED OUT OF TIME


Counsel for Dominique J. Shumate kindly request this Court accept the Record on Appeal in this case as filed out of time. In support of this motion, counsel shows:

1. The Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal was filed and served on November 4, 2013.

2. The Record on Appeal was due to be served and filed on December 4, 2013. However, through administrative error this date was inadvertently miscalendared. We are taking precautions for this not to happen in the future. The Record on Appeal is being filed and served today, February 6, 2014.

3. Counsel for the Attorney General's office consents to this request as shown by signature below.

WHEREFORE, counsel kindly requests the Court allow leave in which to accept the Record on Appeal in this case as filed and served out of time.

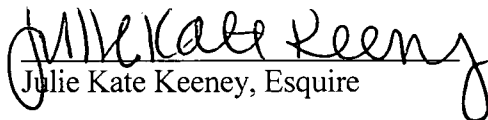


Kathrine H. Hudgins
Appellate Defender

ATTORNEY FOR APPELLANT

This 6th day of February 2014.

I consent:



Julie Kate Keeney, Esquire