

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
R. Markley R. Dennis, Jr., Circuit Court Judge

RECEIVED

MAR 12 2014

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

EUGENE THOMAS,

APPELLANT

Appellate Case No. 2012-212968

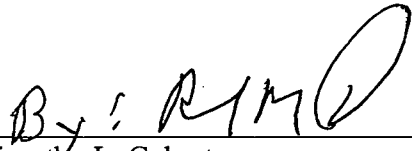
**MOTION TO ACCEPT THE FINAL BRIEF
OF APPELLANT OUT OF TIME**

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

- (1) The Final Brief of Appellant was due to be served and filed with this Court on Monday, March 10, 2014 in accordance with Rule 211, SCACR.
- (2) Due to a calendaring error, the final brief of appellant was not filed.
- (3) The Final Brief of Appellant is being filed simultaneously with this motion.

(4) Counsel has left a message with Norman Mark Rapoport asking, that he communicate with this Court that he does not oppose this motion if that is indeed his position.

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

By: 

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ATTORNEYS FOR APPELLANT

March 12, 2014

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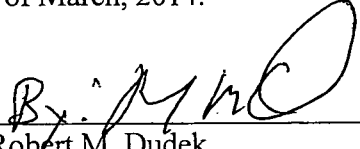
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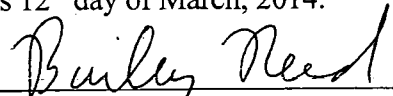
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Accept the Final Brief of Appellant Out of Time in the above referenced case has been served upon Norman Mark Rapoport., Esquire, this 12th day of March, 2014.

By: 
Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 12th day of March, 2014.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: October 24, 2021.