

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No.: 2014-000632

The State Respondent.

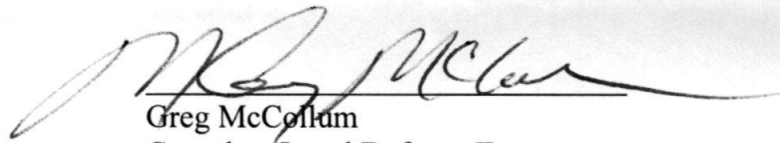
v.

Kylie Nilson Appellant.

**MOTION AND AFFIDAVIT REQUESTING TO FILE DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL OUT OF TIME**

The Defendant was convicted of Driving with an Unlawful Concentration of Alcohol on October 8, 2013 in Magistrate Court in Horry County. The defense appealed her conviction to the Court of Common Pleas in Horry County. The appeal was heard by the Honorable Benjamin H. Culbertson on March 12, 2014 who affirmed Ms. Nilson's Magistrate's Court conviction. The initial appeal with the Court of Appeals was filed March 21, 2014 and was defective. The Case Number has been changed to comply with Rule 267(a), SCAR and a typographical error in the body of the appeal has been corrected to reflect the date of Ms. Nilson's initial conviction. The Initial Brief was forwarded the Court of Appeals but was lacking the Certificate of Counsel and the Designation of Matter to be include in the record. Based upon the forgoing we are requesting to file the Designation of Matter out of time.

July 10, 2014
Myrtle Beach, SC



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