

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County

Edgar W. Dickson, Circuit Court Judge

RECEIVED

JUL 17 2014

THE STATE,

RESPONDENT **SC Court of Appeals**

V.

CARVIN HOLMAN

APPELLANT

PETITION TO FILE THE
RECORD ON APPEAL
OUT OF TIME

Pursuant to Rule 224 of the South Carolina Appellate Court Rules, the undersigned counsel requests the relaxation of Rule 210, SCACR, and allow leave in which to file the record on appeal in this case out of time. In support of this motion counsel submits the following.

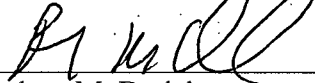
1. The record on appeal was due to have been filed and served with the Court on June 13, 2014. Counsel for the appellant e-mailed the Record on Appeal to undersigned counsel on June 9, 2014. Co-counsel inadvertently did not see the e-mail. Consequently, the Record on Appeal was not timely served and filed.

2. Counsel requests that the Court accept the record on appeal in this case out of time.

3. As indicated by her signature below, Melody J. Brown, of the South Carolina Attorney General's Office, does not oppose this request.

WHEREFORE, the undersigned counsel moves that the Court grant counsel's request to relax Rule 210, SCACR, and allow leave in which to file the Record on Appeal in the above-captioned case out of time. In addition, counsel would request that the Final Brief of Appellant previously filed in this case be accepted, and that respondent be given a reasonable time to file its Final Brief.

Respectfully submitted,

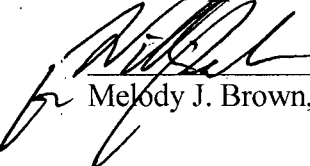


Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT.

July 17, 2014

I do not oppose:



Melody J. Brown, Esquire