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JUL 30 2014

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

SC Court of Appeals

Appeal from Newberry County
Honorable Eugene C. Griffith, Jr., Circuit Court Judge
Appellate Case Tracking No. 2012-212643

The State,

Appellant,

vs.

Woodrow Mozee,

Respondent.

**MOTION TO SERVE AND FILE
FINAL BRIEF OF APPELLANT OUT OF TIME**

Appellant, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Final Brief of Appellant was due to be served and filed in April 2014.

II.

The service and filing of this Final Brief did not occur due to an oversight by the undersigned for failing to note the due date and then becoming involved in other work to be filed.

III.


The undersigned requests this Court allow the Final Brief to be served and filed out of time. The Final Brief of Appellant is being served and filed concomitant with this motion so no further delay will occur. The undersigned asks this Court to accept the Final Brief as filed.

WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, allow the service and filing of the Final Brief of Appellant out of time, and accept the Final Brief submitted with this motion as filed; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General



William M. Blich, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

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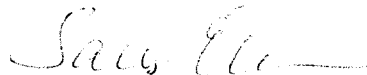
PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion to Serve and File the Final Brief of Appellant Out of Time on Respondent by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Pete G. Diamaduros, Esquire
White, Diamaduros & Diamaduros
Post Office Box 643
Union, South Carolina 29379

I further certify that all parties required by Rule to be served have been served.

This 30th day of July, 2014.



SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

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SC Court of Appeals

July 30, 2014

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State v. Woodrow Mozee
Appellate Case Tracking No. 2012-212643

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion to Serve and File Final Brief of Appellant Out of Time along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: Pete G. Diamaduros, Esquire
Victim Services