

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

DeAndrea G. Benjamin, Circuit Court Judge

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Case Nos. 2012GS1040032 and 2012GS1040033

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The State, ..... Respondent,

v.

Brett D. Parker, ..... Appellant.

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**MOTION FOR THE COURT TO ACCEPT THE APPELLANT'S  
INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED  
IN THE RECORD ON APPEAL OUT OF TIME**

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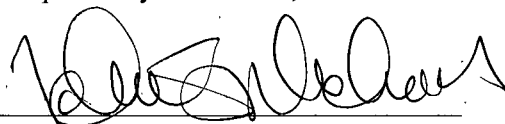
Pursuant to Rules 240 and 263(b), SCACR, Appellant hereby moves this Court to accept for filing out of time the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. The Brief of Appellant and Designation of Matter to be Included in the Record on Appeal were due to be filed on September 26, 2014.

Counsel for Appellant has been working diligently to review the 3,200 page trial transcript in order to prepare the initial brief and designation of matter to be included in the record in a timely manner.

The Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal are conditionally filed with this motion and served on all other parties.

**RECEIVED**  
SEP 30 2014  
SC Court of Appeals

Respectfully submitted,



John D. Delgado, SC Bar No. 1621

John S. Nichols, SC Bar No. 4210

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September 30, 2014

Attorneys for Appellant

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In The Court of Appeals

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on the date indicated below she served counsel for the Respondent with a copy of the *Motion for the Court to Accept the Appellant's Initial Brief and Designation of Matter to be Included in the Record on Appeal Out of Time and the conditionally filed Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal* by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

Alan M. Wilson, Esquire  
Donald J. Zelenka, Esquire  
S.C. Attorney General's Office  
P.O. Box 11549  
Columbia, SC 29211-1549



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Erin Bridges  
BLUESTIEN, NICHOLS, THOMPSON,  
DELGADO, LLC

September 30, 2014



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OF COUNSEL  
O. Eugene Powell, Jr.

September 30, 2014

**VIA HAND DELIVERY**

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

**RECEIVED**

SEP 30 2014

**SC Court of Appeals**

RE: The State v. Brett D. Parker  
Case Tracking No.: 2013-001238

Dear Ms. Kitchings:

Please find enclosed for filing the original and seven (7) copies of a Motion for the Court to Accept the Brief of Appellant and Designation of Matter to be Included in the Record on Appeal Out of Time.

Also please find enclosed the conditionally filed original and one (1) copy of the Initial Brief of Appellant and Designation of Matter to be Included in the Record on Appeal. I have also enclosed a Proof of Service upon counsel for the Respondent. Please return the additional filed copies to me via my courier.

Thank you for your attention to this matter. If you need any additional information, please do not hesitate to contact me.

Sincerely,

Erin Bridges

Paralegal to John S. Nichols  
BLUESTEIN, NICHOLS, THOMPSON &  
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Enclosures

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