

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Pickens County

Letitia H. Verdin, Circuit Court Judge

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FEB 06 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

CHRISTINA REECE,

APPELLANT

APPELLATE CASE NO. 2013-000656

**MOTION TO ACCEPT THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER OUT OF TIME**

Pursuant to Rule 240, SCACR, Counsel for Christina Reece respectfully requests the Court to accept the Initial Brief of Appellant and Designation of Matter in this case **that are being filed today contemporaneously with this motion** out of time. In support of this request, counsel shows:

(1) The Initial Brief of Appellant and Designation of Matter were due to be served and filed with this Court in accordance with Rule 211, SCACR.

(2) However, undersigned counsel filed a motion to vacate appellant's convictions, remand for a new trial, and dismiss the appeal on July 3, 2014. Chief Judge Few denied that motion.

(3) Counsel then filed a petition for rehearing on September 12, 2014, and the state filed a return to that petition. The petition for rehearing was unexpectedly returned by the Clerk stating it was not a proper motion because the ruling denying the motion to vacate appellant's convictions, and remand for a new trial was not a final motion. Given the unusual nature of this case, the time for filing the brief and designation was inadvertently not calendared.

(4) Counsel has consulted with opposing Counsel, Salley W. Elliott, and understands that she does not oppose this motion as indicated by her signature below.

WHEREFORE, counsel for Appellant respectfully requests the Court accept the Initial Brief of Appellant and Designation of Matter as filed out of time that is being filed today simultaneously with this motion.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

February 6, 2015

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
Letitia H. Verdin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

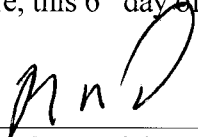
CHRISTINA REECE,

APPELLANT

APPELLATE CASE NO. 2013-000656

CERTIFICATE OF SERVICE

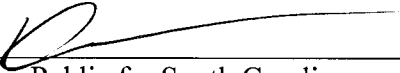
The undersigned attorney hereby certifies that a true copy of the Motion to Accept the Initial Brief of Appellant and Designation of Matter Out of Time in the above referenced case has been served upon Salley W. Elliott, Esquire, this 6th day of February, 2015.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 6th day of February, 2015.



(L.S.)
Notary Public for South Carolina
My Commission Expires: August 21, 2023.