

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lancaster County

R. Knox McMahon, Circuit Court Judge

RECEIVED  
JUL 24 2015  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

AL M. GREEN,

APPELLANT

Appellate Case No. 2014-000603

**MOTION TO ACCEPT THE FINAL BRIEF  
OF APPELLANT AND FINAL REPLY  
BRIEF OF APPELLANT OUT OF TIME**

Pursuant to Rule 240, SCACR, Counsel for Al M. Green respectfully requests the Court to accept the Final Brief of Appellant and Final Reply Brief of Appellant in this case out of time. In support of this request, counsel shows:

(1) The Final Brief of Appellant and the Final Reply Brief of Appellant were due to be served and filed with this Court on July 20, 2015 in accordance with Rule 211, SCACR.

(2) Counsel intended to file this final brief of appellant and final reply brief of appellant on July 20, 2015. However, unexpected events prevented Counsel from forwarding the final briefs by e-mail to the Division of Appellate Defense.

(3) In retrospect, Counsel regrets not having requested an extension in this case.

WHEREFORE, counsel for Appellant respectfully requests the Court accept the Final Brief of Appellant and Final Reply Brief of Appellant as filed out of time.

*By: JH Merrill*

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Jane H. Merrill  
Hawthorne Merrill Law, LLC  
410 Main St. | Greenwood, SC 29646  
864-229-1010 | jane@hmlawsc.com

ATTORNEY FOR APPELLANT

July 24, 2015.

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Accept the Final Brief of Appellant and Final Reply Brief of Appellant Out of Time in the above referenced case has been served upon Donald J. Zelenka., Esquire, this 24<sup>th</sup> day of July, 2015.

*By: J. H. Merrill*

Jane H. Merrill  
Hawthorne Merrill Law, LLC  
410 Main St. | Greenwood, SC 29646  
864-229-1010 | jane@hmlawsc.com

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me  
this 24<sup>th</sup> day of July, 2015.

*Mark H. Hester* (L.S.)  
Notary Public for South Carolina

My Commission Expires: July 3, 2023.