

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

Clifton Newman, Circuit Court Judge

Case No.: 2010-GS-32-2294

RECEIVED

SEP 02 2015

SC Court of Appeals

State of South Carolina, Respondent,
v.
William Craig Caughman, Appellant.

**MOTION TO ALLOW LATE FILING OF
NOTICE OF APPEAL**

Appellant, William Craig Caughman, moves that this Honorable Court allow late filing of his Notice of Appeal in this matter. Appellant received notice of the decision denying his Motion for a New Trial on August 3, 2015 and filed a Notice of Appeal that same day with the Clerk of Court of Lexington County South Carolina. A Notice was also served by hand that day on the Eleventh Circuit Solicitor's Office. A copy of the filed Notice of Appeal and certificate of service is attached hereto. Please note that the time stamp on the Lexington County Clerk of Court inadvertently has July listed as the month, however, the Notice was filed on August 3, 2015. On that same day a copy of the Notice of Appeal was delivered to The Office of Appellant Defense so that they could handle the Appeal. Copy of that correspondence is attached hereto.

Appellants regular Paralegal was out that week and the paperwork was filed by another Assistant who was unfamiliar with the filing process and did not realize the Notice had to be also filed with the Notice of Appeal. Appellant's counsel was derelict in

not making sure that the Notice of Appeal was properly filed with the Court of Appeals and respectfully requests that this Court consider this as excusable neglect and allow the late filing of the Notice of Appeal.

Appellants counsel is of the opinion that this Appeal contains significant legal issues.

Respectfully submitted,

Wayne Floyd Law Office, P.A.
1611 Augusta Road
P.O. Box 3972
West Columbia, SC 29171-3972
(803) 739-1824
Attorney for Appellant

By: HWayne Floyd

Other Counsel of Record:

Suzanne Mayes, Assistant Solicitor
Eleventh Circuit Solicitor's Office
205 E. Main St., 3rd Floor
Lexington, SC 29072

CERTIFICATE OF SERVICE

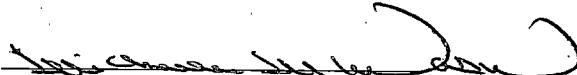
This is to certify that the undersigned, Michelle M. Wash, Paralegal to Wayne Floyd, Esquire, has this 2nd day of September, 2015, served the **MOTION TO ALLOW LATE FILING OF NOTICE OF APPEAL.**

- Hand delivering a copy hereof.
- Depositing a copy hereof in the United States mail postage prepaid
- Certified Mail (Return Receipt Requested).
- Facsimile Transmission.

RECEIVED
SEP 02 2015
SC Court of Appeals

upon:

**Suzanne Mayes, Assistant Solicitor
Lexington County Solicitor's Office
205 East Main Street, 3rd Floor
Lexington, SC 29072**


Michelle M. Wash,
Paralegal to Wayne Floyd
WAYNE FLOYD LAW OFFICE, P.A.
1611 Augusta Road
P.O. Box 3972
West Columbia, S.C. 29171-3972
(803) 739-1824

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State of South Carolina, Respondent,
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BETH A. CARRIGG
CLERK OF COURT
LEXINGTON SC

2015 JUL -3 AM 11:58

FILED

NOTICE OF APPEAL

Comes Now the Appellant, William Craig Caughman, who files this his Notice of Appeal of his conviction and sentence on May 23, 2013 before The Honorable Clifton Newman in the Lexington County Court of General Sessions and the denial of his Motion for Reconsideration and for a New Trial filed May 31, 2013 that was denied July 25, 2015 and filed July 29, 2015 and served on Defendant August 3, 2015.

Respectfully submitted,

Wayne Floyd Law Office, P.A.
1611 Augusta Road
P.O. Box 3972
West Columbia, SC 29171-3972
(803) 739-1824
Attorney for Appellant

By: Wayne Floyd

Other Counsel of Record:

Suzanne Mayes
Eleventh Circuit Solicitor's Office
205 E. Main St., 3rd Floor
Lexington, SC 29072

CERTIFICATE OF SERVICE

This is to certify that the undersigned, Michelle M. Wash, Paralegal to Wayne Floyd, Esquire, has this 3rd day of August 2015, served the **Notice of Appeal**.

- Hand delivering a copy hereof.
- Depositing a copy hereof in the United States mail postage prepaid
- Certified Mail (Return Receipt Requested).
- Facsimile Transmission.

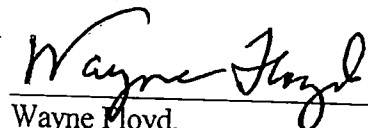
BETH A. CARRIGG
CLERK OF COURT
LEXINGTON SC

2015 JUL -3 AM 11:58

FILED

upon:

Suzanne Mayes
Eleventh Circuit Solicitor's Office
205 E. Main St. 3rd Floor
Lexington, SC 29072


Wayne Floyd,
WAYNE FLOYD LAW OFFICE, P.A.
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(803) 739-1824

Email: wayne@waynefloydlaw.com

Fax (803) 739-1888

August 6, 2015

Lorine French
Office of Appellate Defense
PO Box 11589
1330 Lady Street, Ste. 401
Columbia, SC 29201
Attn: Lorine

RE: State v. William Craig Caughman

Dear Lorine:

Enclosed in connection with the referenced matter are the following:

1. Notice Of Appeal
2. Motion for New Trial and Reconsideration
3. Order Denying Motion for New Trial
4. Copy of Order appointing me as Attorney

Please let me know if you need anything else to take over this matter.

Sincerely,



Wayne Floyd

WF/rtb
Enclosures

Wayne Floyd Law Office, P.A.

1611 Augusta Road
P.O. Box 3972
West Columbia, S.C. 29171-3972

(803) 739-1824

Email: wayne@waynefloydllaw.com

Fax (803)739-1888

September 2, 2015

RECEIVED

SEP 02 2015

SC Court of Appeals

The Honorable Kenneth A. Richstad
South Carolina Court of Appeals
1015 Sumter Street
P.O. Box 11629
Columbia, S.C. 29211

RE: Name: William Craig Caughman
Case No.: 10-GS-32-2294

Gentlemen:

Enclosed in connection with the referenced matter are the following documents:

1. Motion to Allow to Allow Late Filing Notice of Appeal and Certificate of Service;
2. Notice of Appeal;
3. Copy of Notice of Appeal and Certificate of Service filed in Lexington County;
4. Copy of letter to Appellate Defense.

Please contact me if you have any questions or require anything additional in this matter.

Sincerely,


Wayne Floyd

WF/mmw
enclosure

cc: Suzanne Mayes, Assistant Solicitor