

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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NOV 09 2015
SC Court of Appeals

Appeal from Greenville County
Court of General Sessions

Hon. Daniel Hall, Circuit Court Judge

Indictment No. 2014-GS-23-9505

The State of South Carolina.....Respondent,

v.

Antonio Ochoa-Tavera.....Appellant

**MOTION FOR EXTENSION OF TIME TO
FILE NOTICE OF APPEAL**

PLEASE TAKE NOTICE, that upon affidavit of Antonio Ochoa-Tavera, Sworn to on the 3 day of NOVEMBER, 2015, and upon all the proceedings in this case, a motion pursuant to Rule-263(b), Appellant Court Rule, of the Rules of Court for the State of South Carolina is made to this court for an order reinstating the time for taking an appeal from [judgment / sentence / order] imposed by the General Session Court of the County of Greenville, rendered on the 11th day of February, 2015, upon judgment of the above named defendant of the charge of Trafficking Methamphetamine (S.C. Code Ann. § 4-53-0375).

And upon the ground that said defendant's failure to file a notice of appeal in a timely fashion within the allotted time resulted from defendant's trial counsel's failure to inform him of his right to appeal his judgment, sentence, and order imposed.

The defendant herein, respectfully request the courts to grant his Motion for Extension of Time to File Notice of Appeal. And this court should grant this motion pursuant to Rule-263(b), S.C.A.C.R.

RESPECTFULLY SUBMITTED this 3 day of NOVEMBER, 2015

Antonio Ochoa Tavera
Antonio Ochoa-Tavera #363134, Pro-se.
Lee Correctional Institution
990 Wisacky Hwy.
Bishopville, SC 29010

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Indictment No. 2014-GS-23-9505

The State of South Carolina.....Respondent,

v.

Antonio Ochoa-Tavera.....Appellant

CERTIFICATE OF SERVICE

I, Antonio Ochoa-Tavera, proceeding as pro-se, do hereby swear or declare that on this 3 day of Nov., 2015, that I have served the enclosed MOTION FOR EXTENSION OF TIME TO FILE NOTICE OF APPEAL with SUPPORTING AFFIDAVIT to be filed on this date as given to prison official an envelope containing the above documents in the prison internal mail system via United States mail properly addressed to the party in the above proceeding with first-class postage prepaid to the following names and addresses listed below:

TO: Ms. Jenny A. Kitching, Clerk
The South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Mr. Paul B. Wickensimer, Clerk of Court
Greenville County Court House
305 East North Street
Greenville, S.C. 29601

RESPECTFULLY SUBMITTED on this 3 day of Nov., 2015.

Antonio Ochoa-Tavera
Antonio Ochoa-Tavera, #363134 Pro-se.
Lee Correctional Institution
990 Wisacky Highway
Bishopville, South Carolina 29010

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ATTN: Ms. Jenny A. Kitching, Clerk
The South Carolina Court of Appeals
1015 Sumter St.
Columbia, S. C. 29201

RE: State v. Antonio Ochoa-Tavera, (Indictment No. 2014-GS-23-9505)
**Motion for Extension of Time to File
Notice of Appeal**

Dear Ms. Kitching,

Enclosed please find a Motion for Extension of Time to File Notice of Appeal with supporting Affidavit and Certificate of Service to be filed on this date as given to prison official to be filed with the courts.

DATE: NOVEMBER 3, 2015

Respectfully,

Antonio Ochoa-Tavera
Antonio Ochoa-Tavera, Pro-Se.

Enclosures

cc: Mr. Paul B. Wickensimer, Clerk of Court