

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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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

**AFFIDAVIT IN SUPPORT OF
MOTION FOR EXTENSION OF TIME TO
FILE NOTICE OF APPEAL**

Antonio Ochoa-Tavera, being duly sworn, deposes and says:

That I am the defendant herein and submit this affidavit in support of my application for leave to serve a notice of appeal within ten days after the granting of an order permitting me to file pursuant to Rule-263(b), S.C.A.C.R. Of the Rules of Court for the State of South Carolina.

On February 11, 2015, I was found guilty of Trafficking Methamphetamine (S.C. Code Ann. § 44-53-0375). Before Hon. Daniel Hall, Circuit Court Judge and received a punishment of 25 years on February 11, 2015. (Before Hon. Judge Daniel Hall.)

I failed to file my Notice of Appeal within Ten days because:

1. My trial counsel's failure to inform me of my rights to appeal.
2. I speak very little english and have very little education.
3. I have no legal education and is just a layman of the law.
4. My knowledge of the law is vague and limited.
5. Good cause exists for the granting on this motion for extension of time to file notice of appeal, for

the reason stated above. Defendant's trial counsel's failure to inform him of his right to appeal, hindered him from making a timely fashioned notice of appeal.

WHEREFORE, I respectfully urge this court to extend the time within which a notice of appeal may be served and filed pursuant to Rule-263(b), S.C.A.C.R. Of the Rules of Court for the State of South Carolina and issue an order granting this application permitting me to serve and file a notice of appeal within ten days from the date of said order and for such other relief as this court may deem just and proper. Executed on this 3RD day of NOVEMBER, 2015.

Antonio Ochoa-Tavera
Antonio Ochoa-Tavera, #363134, Pro-se.

AFFIDAVIT

State of South Carolina)
)s.s.:
County of Lee)

3RD I declare under the penalty of perjury that the forgoing is true and correct. Executed on this day of NOV, 2015.

Antonio Ochoa-Tavera
Antonio Ochoa-Tavera, #363134 Pro-se

State of South Carolina)
)s.s.:
County of Lee)

On 3RD, NOV, 2015, Antonio Ochoa-Tavera personally appeared before me, a Notary Public for the State of South Carolina and the County of Lee. Being duly sworn, Antonio Ochoa-Tavera deposed and said that he is a defendant in the above action and that the facts in this affidavit are true.

Antonio Ochoa-Tavera
Subscribed and Sworn to before me
this 3RD day of NOV, 2015.

[Signature]
Notary Public for South Carolina
My Commission expires 11-05-2019