

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Marlboro County
Michael G. Nettles, Circuit Court Judge

ORIGINAL

RECEIVED

DEC 29 2015

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ROEMAIN JAMAIL BRUNSON,

APPELLANT

Appellate Case No. 2014-002665

**MOTION TO ACCEPT THE
ANDERS BRIEF OF APPELLANT
AND RECORD ON APPEAL
OUT OF TIME**

Pursuant to Rule 240, SCACR, Counsel for Roemain Brunson respectfully requests the Court to accept the Anders brief of appellant and record on appeal in this case out of time. In support of this request, counsel shows:

(1) The initial brief of appellant was due to be served and filed with this Court on October 26, 2015 in accordance with Rule 208, SCACR, and extension requests submitted.

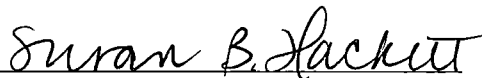
(2) However, the due date was not calendared. When counsel discovered the error, it was too late to submit the initial brief of appellant to this Court in a timely manner. Counsel acted immediately upon realizing the error to prepare the initial brief and file it with

this Court along with this motion. Upon review of the transcript and research of the controlling law, counsel determined there were no meritorious issues in the case. Thus, counsel concluded it would be necessary to file a brief pursuant to Anders v. California, 386 U.S. 738 (1967). Filing an Anders brief necessitates filing the record on appeal contemporaneously. Thus, counsel has worked to prepare the brief and the record on appeal.

(3) Counsel makes this request in good faith and not for purposes of delay.

(4) Counsel for the Attorney General's Office does not oppose this request as shown by his signature below.

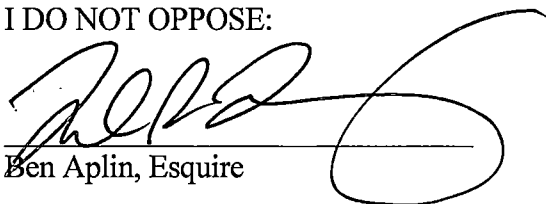
WHEREFORE, counsel for Appellant respectfully requests the Court accept the Anders brief of appellant and record on appeal as filed out of time.


Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT

December 29, 2015

I DO NOT OPPOSE:


FOR Ben Aplin, Esquire

STATE OF SOUTH CAROLINA

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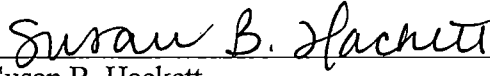
V.

ROEMAIN JAMAIL BRUNSON,

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Accept the Anders Brief of Appellant and Record on Appeal Out of Time in the above referenced case has been served upon Ben Aplin., Esquire, at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, and Mr. Roemain Jamail Brunson, #351887, at Lee Correctional Institution, 990 Wisacky Highway, Bishopville, SC 29010, this 29th day of December, 2015.



Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 29th day of December, 2015.



(L.S.)

Notary Public for South Carolina
My Commission Expires: October 30, 2022.