

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County
Honorable J. Cordell Maddox, Jr., Circuit Court Judge MAY 12 2016
Appellate Case Tracking No. 2015-000604

RECEIVED

SC Court of Appeals

The State,

Appellant,

vs.

Tami Baker Sisler,

Respondent.

**MOTION TO SERVE AND FILE
FINAL BRIEF OF APPELLANT
OUT OF TIME**

Appellant, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Final Brief of Appellant has not been timely served and filed in this case. Based on an oversight by the undersigned, the due date for the Final Brief was never calendared. As a result, the undersigned failed to have the Final Brief served and filed once the Record on Appeal was completed.

II.


Appellant requests this Court allow the service of the Final Brief of Appellant out of time. This request is not intended for purposes of delay. The Final Brief of Appellant is being served and filed today concomitant with this motion to allow service out of time. Appellant asks this Court to accept the Final Brief of Appellant and allow the appeal to proceed.

WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, allow the service and filing of the Final Brief of Appellant out of time; accept the Final Brief of Appellant as properly served and filed; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General

BY: 
William M. Blitch, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

May 12, 2016

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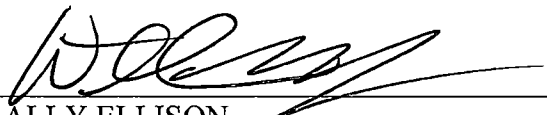
PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion to Serve and File Final Brief of Appellant out of Time on Respondent by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Edward L. Phipps, Esquire
Phipps Law Firm, LLC
155 King Street, 2nd Floor
Charleston, South Carolina 29401

I further certify that all parties required by Rule to be served have been served.

This 12th day of May, 2016.


FOR SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

May 12, 2016

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MAY 12 2016
SC Court of Appeals

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: State v. Tami Baker Sisler
Appellate Case Tracking No. 2015-000604

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion to Serve and File Final Brief of Appellant out of Time along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: Edward L. Phipps, Esquire
Victim Services