

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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MAY 31 2016

SC SUPREME COURT

On Writ of Certiorari to the Court of Appeals
Appeal From Charleston County
The Honorable J.C. Nicholson, Jr., Circuit Court Judge
Appellate Case No. 2015-001278

The State,

Petitioner/Respondent,

v.

Raheem D. King,

Respondent/Petitioner.

**MOTION TO SERVE AND FILE PETITIONER/RESPONDENT'S
BRIEF OUT OF TIME**

Petitioner/Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

1. The Petitioner/Respondent's Brief of Respondent has not been timely served and filed in this case. The Brief of Respondent was ready and prepared for serving on May 27, 2016. However, based on an oversight, the Brief of Respondent did not get served and filed with the Court and counsel for the Respondent/Petitioner.

2. Petitioner/Respondent requests the Court to allow service of the Respondent's Brief out of time. The Brief of Respondent is being served and filed today along with this motion to allow service out of time. Petitioner/Respondent asks this Court to accept the Brief of Respondent and allow the appeal to proceed.

WHEREFORE, the Petitioner/Respondent prays the court hold this matter in abeyance until ruling on this motion, allow the service and filing of the Brief of Respondent out of time, accept the Petitioner/Respondent's Brief of Respondent as properly served and filed, and for such other and further relief as this Court deems just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

BY: 



Deborah R.J. Shupe
Senior Assistant Deputy Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3970

ATTORNEYS FOR PETITIONER/RESPONDENT

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PROOF OF SERVICE

I, Sally B. Ellison, hereby certify I served the Petitioner/Respondent's Motion to Serve and File Petitioner/Respondent's Brief Out of Time by placing a copy of same in the United States Mail, postage prepaid, addressed as follows:

Robert M. Dudek
Chief Appellate Defender
SC Commission of Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

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

This 31st day of May, 2016.


Sally Ellison
Legal Assistant
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(803) 734-4156