

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

RECEIVED

Appeal from Charleston County

JUN 10 2016

Honorable Deadra L. Jefferson, Circuit Court Judge

SC Court of Appeals

GARY L. RUCKER,

APPELLANT,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2015-000723

MOTION TO FILE ANDERS BRIEF OF APPELLANT AND RECORD ON APPEAL  
OUT OF TIME

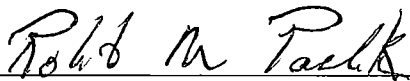
Pursuant to Rule 240 of the South Carolina Appellate Court Rules, undersigned counsel requests relaxation of Rule 210, SCACR, and allow leave in which to file the Anders Brief of Appellant and Record on Appeal in this case out of time. In support of this motion counsel shows:

1. On May 30, 2016, the Anders Brief of Appellant and Record on Appeal were due to be filed.
2. Due to an administrative oversight, the Anders Brief of Appellant and Record on Appeal were not timely filed.

3. The Anders Brief of Appellant and Record on Appeal are being simultaneously filed with this motion.

4. Counsel for the Attorney General's office consents to this request shown by his signature below.

WHEREFORE, the undersigned counsel petitions the Court to grant counsel's request to relax Rule 210, SCACR, and allow leave in which to file the Anders Brief of Appellant and Record on Appeal in the above referenced case out of time.

  
\_\_\_\_\_  
Robert M. Pachak  
Appellate Defender

June 10, 2016

I do not oppose:

  
\_\_\_\_\_  
J. Benjamin Aplin, Esquire

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to file the Anders Brief of Appellant and Record on Appeal in the above referenced case has been served upon opposing counsel, J. Benjamin Aplin, Esquire at the Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 10th day of June, 2016.



Robert M. Pachak  
Appellate Defender

Attorney for Petitioner

SUBSCRIBED AND SWORN TO before me  
this 10th day of June, 2016.

Christian Ford (L.S.)

Notary Public for South Carolina

My Commission Expires: March 1, 2026