

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

SEP 28 2016

APPEAL FROM OCONEE COUNTY
Court of General Sessions

SC Court of Appeals

R. Lawton McIntosh, Circuit Court Judge

Appellate Case No. 2015-000981

The State,Respondent,

v.

Teresa Davis,Appellant.

**MOTION TO FILE RECORD
ON APPEAL OUT OF TIME**

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT
OF APPEALS:

Pursuant to Rule 263(b), of the South Carolina Appellate Court Rules,
counsel for Appellant Teresa Davis respectfully moves for an Order granting
them leave to file the Record on Appeal out of time.

The instant case is a part of the 2015 Appellate Practice Project. The Record on Appeal was served to all counsel on August 15, 2016. Due to miscommunication between the undersigned and counsel for the South Carolina Commission on Indigent Defense, the filing of the Record on Appeal was inadvertently not done. Upon receipt of the correspondence dated September 26, 2016, from V. Claire Allen, Deputy Clerk, advising of this error, the undersigned immediately remedied the error and sent the Record on Appeal to the printer.

This is counsel's first motion to file the Record on Appeal out of time. Counsel appreciates the Court's attention and its accommodation regarding this request.

[SIGNATURE PAGE FOLLOWS]

Respectfully Submitted,

COLLINS & LACY, P.C.



CHRISTIAN STEGMAIER
cstegmaier@collinsandlacy.com
Post Office Box 12487
Columbia, South Carolina 29211
(803) 256-2660 (voice)
(803) 771-4484 (facsimile)

ROBERT M. DUDEK
Chief Appellate Defender
South Carolina Commission on
Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211-1589
(803) 734-1343

Columbia, South Carolina
September 28, 2016

ATTORNEYS FOR APPELLANT

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PROOF OF SERVICE

I hereby certify that I served a copy of the Motion to file the Record on Appeal Out of Time upon all parties, by placing a copy in the United States mail, postage prepaid, to all counsel of record on September 28, 2016, addressed to the following:

COUNSEL SERVED:

Robert M. Dudek, Esquire
Chief Appellate Defender
South Carolina Commission
on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211-1589

Mary Frances Jowers, Esquire
Assistant Deputy Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211

Respectfully submitted,

COLLINS & LACY, P.C.



By:

CHRISTIAN STEGMAIER
cstegmaier@collinsandlacy.com
1330 Lady Street, Sixth Floor (29201)
Post Office Box 12487
Columbia, South Carolina 29211
(803) 256-2660 (voice)
(803) 771-4484 (facsimile)

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Columbia, SC 29211-1589
(803) 734-1343

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Columbia, South Carolina
September 28, 2016



Christian Stegmaier | D: 803.255.0454 | E: cstegmaier@collinsandlacy.com

September 28, 2016

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

Re: *The State v. Teresa Davis*
Civil Action No. 2015-000981
C&L File No. 000517-01044

Dear Ms. Kitchings:

Please find enclosed the unbound original and sixteen copies of the Record on Appeal in connection with the above referenced matter. Also enclosed are the original and seven copies of Appellant's Motion to File the Record on Appeal Out of Time. Please file the originals and return a clocked copy of each to us via our courier.

By copy of this letter to counsel of record, we are serving same on them.

Thank you for your time and attention. Should you have any questions or concerns, please do not hesitate to contact us.

Respectfully,

A handwritten signature in black ink, appearing to read "C. Stegmaier".

Christian Stegmaier

CS/mmm

Enclosures

cc: Mary Frances G. Jowers, Esquire
Robert Dudek, Esquire