

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Thomas A. Russo, Circuit Court Judge

APPELLATE CASE NO. 2014-002206

RECEIVED

OCT 10 2016

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

KEITH CHRISTOPHER OSBORNE,

APPELLANT

**MOTION TO FILE OUT OF TIME
APPELLANT'S RECORD ON APPEAL**

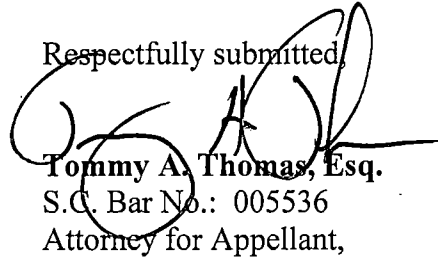
Comes now, Tommy A. Thomas Counsel for Appellant, who respectfully makes this Motion to Accept the Filing of Appellant's Record on Appeal out of time.

Appellant filed an Initial Brief on or about April 14, 2016. The Respondent filed their Initial Brief on August 3, 2016. The Record on Appeal was due to be served thirty (30) days after receipt of Respondent's Initial Brief and Designation of Matter to be included in the Record on Appeal. Counsel for the Appellant initially thought that a request for extension of time had been filed. Upon review of the file, it appears that a request has not been filed and the Record is past due. That due to this mistake, the due date of the Record was not properly diaried.

Counsel immediately called the Respondent and she indicated that she had no objection to this Motion.

The Appellant respectfully requests the court grant this request to file the Record on Appeal out of time.

Respectfully submitted,



Tommy A. Thomas, Esq.
S.C. Bar No.: 005536
Attorney for Appellant,

October 5, 2016

P. O. Box 88
Irmo, SC 29063

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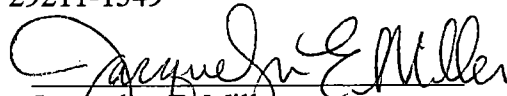
KEITH CHRISTOPHER OSBORNE,

APPELLANT

CERTIFICATE OF SERVICE BY MAIL

I, Jacquelyn E. Miller, Secretary to Tommy A. Thomas, Attorney for Appellant certify that I have served a Motion to File out of time Appellant's Record on Appeal on the Office of the Attorney General, by depositing a copy of it in the United States Mail, postage prepaid and the return address clearly shown on said envelope to:

Megan H. Jameson, Esq.
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211-1549



Jacquelyn E. Miller
Tommy A. Thomas, Esq.
Attorney for Appellant
7588 Woodrow Street
P.O. Box 88
Irmo, S.C. 29063
(803) 732-5507

October 5, 2016

Tommy A. Thomas

ATTORNEY AND COUNSELOR AT LAW

TELEPHONE:
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(803) 781-4226

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October 5, 2016

V. Clare Allen, Deputy Clerk
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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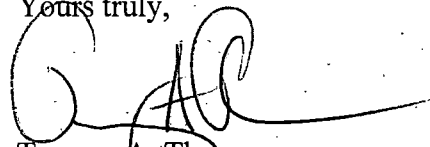
RE: State v. Keith Christopher Osborne
Appellate Case No.: 2014-002206

Dear Sir or Madam:

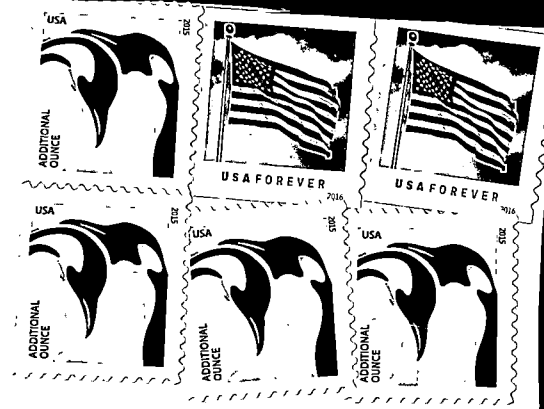
Enclosed please find an original and 6 copies of a Motion to File Out of Time Appellant's Record on Appeal as well as a Certificate of Service for filing in the above matter.

Kindly return a clocked copy to me in the enclosed envelope. Should you have any questions, or need any additional information, please do not hesitate to contact me. Thank you.

Yours truly,


Tommy A. Thomas,
Attorney at Law

TAT/jem
cc: Megan Harrigan Jameson, Esq.



Tommy A. Thomas, P.C.
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