

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Spartanburg County

The Honorable J. Derham Cole, Circuit Court Judge  
\_\_\_\_\_

**ORIGINAL**  
**RECEIVED**

OCT 19 2016  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

THOMAS MARETT,

APPELLANT

Appellate Case No. 2015-002407  
\_\_\_\_\_

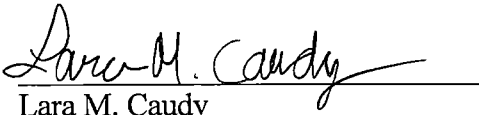
**MOTION TO ACCEPT THE  
FINAL BRIEF OF APPELLANT OUT OF TIME**  
\_\_\_\_\_

Pursuant to Rule 240, SCACR, counsel for Appellant respectfully requests the Court accept the Final Brief of Appellant in this case out of time. In support of this request, counsel shows:

- (1) The Final Brief of Appellant was due to be served and filed with this Court on October 17, 2016 in accordance with Rule 211, SCACR.
- (2) However, due to an administrative calendaring error, the Final Brief of Appellant was not filed timely. Upon realizing the error, undersigned counsel acted immediately to prepare the Final Brief and file it with this Court along with this motion.
- (3) Counsel makes this request in good faith and not for purposes of delay.

(4) Counsel for Respondent consents to this request as shown by signature below.


WHEREFORE, counsel for Appellant respectfully requests the Court accept the Final Brief of Appellant as filed out of time.

  
Lara M. Caudy  
Appellate Defender

ATTORNEY FOR APPELLANT

October 19, 2016

I consent:

  
Matthew Buchanan, Esquire

STATE OF SOUTH CAROLINA  
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THE STATE,

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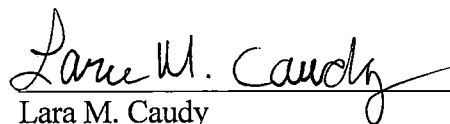
APPELLANT

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CERTIFICATE OF SERVICE

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The undersigned attorney hereby certifies that a true copy of the Motion to Accept the Final Brief of Appellant Out of Time in the above referenced case has been served upon Matthew Buchanan, Esquire, this 19th day of October, 2016.




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Lara M. Caudy  
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me  
this 19th day of October, 2016.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: October 30, 2022.



# SCCID

SOUTH CAROLINA COMMISSION ON INDIGENT DEFENSE

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Robert M. Dudek, Chief Appellate Defender  
Wanda H. Carter, Deputy Chief Appellate Defender

October 19, 2016

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

Re: The State v. Thomas Marett

Dear Ms. Kitchings:

Enclosed are an original and six copies of the Motion to Accept the Final Brief of Appellant Out of Time in the above captioned case. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Lara M. Caudy".

Lara M. Caudy  
Appellate Defender

LMC/blw

Enclosure

cc: Matthew Buchanan, Esquire