

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Horry County

Larry B. Hyman, Jr., Circuit Court Judge

RECEIVED
MAR 31 2017
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

BRIAN SPEARS,

APPELLANT

Appellate Case No. 2017-000480

**MOTION TO ORDER THE TRANSCRIPT
OF APPELLANT OUT OF TIME**

Pursuant to Rule 240, SCACR, Counsel for Brian Spears respectfully requests that the Court allow the transcript to be ordered out of time in this case. In support of this request, counsel shows:

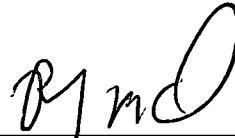
(1) Counsel received copy of the Court's letter dated March 3, 2017 addressed to the trial attorney, Ms. Barbara Pratt, which stated that the Court had received the notice of appeal.

(2) On March 3, 2017, Paula Murdoch, my Administrative Coordinator and Supervisor, sent an e-mail to this Court inquiring about the timelessness of the service and filing of the notice of intent to appeal.

(3) On March 30, 2017, the case manager e-mailed Paula Murdoch informing her that this appeal would proceed.

(4) However, the transcript should have been ordered by March 24, 2017.

WHEREFORE, counsel for Appellant respectfully requests that the Court allow the ordering of the transcript in this case out of time.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

March 31, 2017

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
Larry B. Hyman, Jr., Circuit Court Judge

THE STATE,

RESPONDENT,

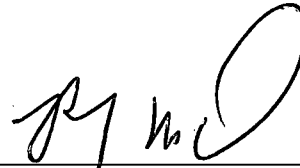
V.

BRIAN SPEARS,

APPELLANT

CERTIFICATE OF SERVICE


The undersigned attorney hereby certifies that a true copy of the Motion to Order the Transcript Out of Time in the above referenced case has been served upon Donald J. Zelenka., Esquire, at Rembert Dennis Building, 1000 Assembly Street, Room 519, Columbia, SC 29201, this 31st of March, 2017.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 31st day of March, 2017.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.