

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Greenville County

Brian M. Gibbons, Circuit Court Judge

RECEIVED

MAR 30 2017

S.C. SUPREME COURT
RESPONDENT,

RECEIVED

MAR 31 2017

APPELLANT
SC Court of Appeals

THE STATE,

v.

RAYMOND ROBERSON,

APPELLATE CASE NO. 2016-000525

MOTION TO FILE THE
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 record on appeal in this case out of time. In support of this petition he shows:

1. The case was assigned to undersigned counsel. On October 10, 2016, Mr. Robert M. Pachak filed the initial brief of appellant and designation of matter to be included in the record on appeal. The initial brief of respondent and designation of matter were filed on February 7, 2017, and the record on appeal was due on March 9, 2017.
2. Due to a calendaring error the Record on Appeal due date was overlooked and missed. I am notifying opposing counsel, J. Benjamin Aplin of this error.

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 motion to file the record in the above titled case out of time.

Robert M. Pachak

Robert M. Pachak
Appellate Defender

ATTORNEY FOR APPELLANT

March 30, 2017

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Greenville County

Brian M. Gibbons, Circuit Court Judge

THE STATE,

RESPONDENT,

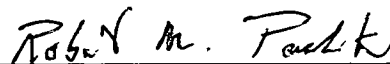
V.

RAYMOND ROBERSON,

APPELLANT


CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to File the the Record on Appeal Out of Time in the above referenced case has been served upon J. Benjamin Aplin, Esquire, this 30th day of March, 2017.


Robert M. Pachak
Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 30th day of March, 2017.


(L.S.)

Notary Public for South Carolina
My Commission Expires: October 30, 2022.