

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

Deadra L. Jefferson, Circuit Court Judge

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DEC 07 2012
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

WILLIAM ROSS,

APPELLANT

APPELLATE CASE NO. 2011-190816

MOTION TO ACCEPT THE RECORD ON APPEAL
AS FILED OUT OF TIME

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned counsel requests the relaxation of Rule 263(b), SCACR, and allow leave in which to file the Record on Appeal in this case out of time. In support of this motion counsel submits the following.

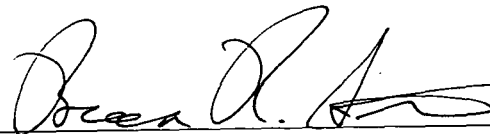
1. The Initial Brief Appellant in this case was filed with this Court on June 22, 2012.
2. The Record on Appeal should have been filed on November 29, 2012. However, due to an error recording in the database the date that the Initial Brief of Respondent was filed the Record on Appeal erroneously appeared to be due eight (8) days later than it was.
3. Counsel has prepared the Record on Appeal, as well as the Final Brief of Appellant and is filing both simultaneously with this motion.

4. Counsel for the Attorney General's office consents to this request as shown by her signature below.

5. Counsel makes this request in good faith and not for purpose of delay.

WHEREFORE, the undersigned counsel respectfully requests that the Court grant counsel's request to relax Rule 263(b), SCACR, and allow leave in which to file the Record on Appeal out of time in this case based upon the above exigent circumstances.

Respectfully submitted,



BREEN RICHARD STEVENS
Appellate Defender

ATTORNEY FOR APPELLANT

This 7th day of December, 2012.

I Consent:

Julie Kate Keeney