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SEP 15 2017

SC Court of Appeals  
84561

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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SEP 15 2017

S.C. SUPREME COURT

Appeal from Newberry County  
Honorable Donald B. Hocker, Circuit Court Judge  
Appellate Case Tracking No. 2016-001639

State of South Carolina

Appellant,

vs.

Tony Latrell Kinard

Respondent.

**MOTION TO ALLOW LATE FILING OF FINAL BRIEF**

**NOW COMES** the Respondent by and through his undersigned counsel of record and moves before this Court for an Order allowing the late filing of Respondents Final Brief. In support of this motion Respondent will show unto this court as follows:

1. Respondent's counsel incorrectly calendared the due date of the Respondent's final brief.
2. Respondent's counsel was notified by the Clerk of Court of the error by letter dated September 5, 2017.
3. The letter from the Clerk instructed Respondent's counsel to file the final brief along with this motion within ten (10) days of the date of the letter, which was September 5, 2017.
4. Respondent filed his final brief within ten (10) days of the letter from the Clerk as instructed on September 15, 2017.
4. Neither party will be prejudiced by the late filing of the respondent's final brief.

**WEHREFORE**, the Respondent respectfully requests this Court issue an Order allowing the late filing of Respondent's final brief.

September 15, 2017  
Columbia SC

[Signatures on following page]



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Michael Laubshire  
455 St. Andrews Road, Suite E-1  
Columbia, SC 29210-4487  
(803) 708-4755



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Richard Dolce  
455 St. Andrew Road, Suite E-2  
Columbia, SC 29210-4487

ATTORNEYS FOR RESPONDENT

STATE OF SOUTH CAROLINA  
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S.C. SUPREME COURT

State of South Carolina

Appellant,

vs.

Tony Latrell Kinard

Respondent.

**PROOF OF SERVICE**

I, Victoria L. Ford, certify that I have served the within motion on the Appellant by depositing three copies of the same in the United States mail, postage prepaid, addressed to:

Alan Wilson  
Attorney General

William M. Blich, Jr.  
Assistant Attorney General  
Post Office Box 11549  
Columbia, SC 29211

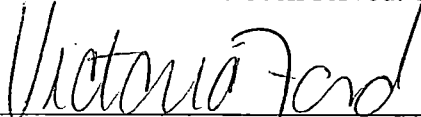
David M. Stumbo  
Solicitor, Eighth Judicial Circuit

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SC Court of Appeals

I further certify that all parties required by Rule to be served have been served. This 15<sup>th</sup> day of September, 2017.

  
Victoria L. Ford, Paralegal  
Laubshire Law Firm, LLC  
455 St. Andrews Road, Suite E-1  
Columbia, SC 29210  
(803) 708-4755