

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of General Sessions
Thomas A. Russo, Circuit Court Judge

Appellate Case No. 2017-002167

The State,

Respondent

v.

Major Donnard Dubose, III,

Appellant

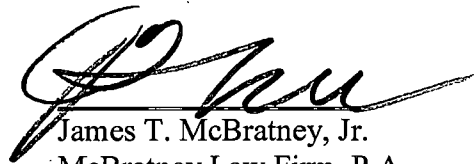
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NOV 29 2017
SC Court of Appeals

Motion to Allow Late Filing of
NOTICE OF APPEAL

Major Donnard Dubose III appealed his conviction and sentence in this case by filing his Notice of Intent to Appeal in the Office of the Clerk of Court for Florence County on September 21, 2017, serving a copy of same upon the Office of Solicitor for the Twelfth Judicial Circuit on the same date. Defendant inadvertently failed to simultaneously file with the Court of Appeals until October 17, 2017.

The Defendant moves this court to allow the late filing with this court. There is no prejudice to the State; the State was timely served with Notice of Intent to Appeal.

November 28, 2017



James T. McBratney, Jr.
McBratney Law Firm, P.A.
P.O. Box 3890
Florence, SC 29502
(0)843-662-8155
(F)843-662-1144
james@mcbratneylawfirm.com
Attorney for Appellant

Other Counsel of Record:

J. Benjamin Alpin, Esq.
Senior Assistant Deputy Attorney General
PO Box 11549
Columbia, SC 29211-1549
Attorney for Respondent

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PROOF OF SERVICE

I certify that I have served the Motion to Allow Late Filing of the Notice of Appeal on J. Benjamin Alpin, Esq. by depositing a copy of it in the United States Mail, postage prepaid, on November 28, 2017, addressed to attorney of record at:

J. Benjamin Alpin, Esq.
Senior Assistant Deputy Attorney General
PO Box 11549
Columbia, SC 29211-1549

November 28, 2017


James T. McBratney, Jr.
PO Box 3890
Florence, SC 25902
(843) 661-8155
Attorney for Appellant

MCBRATNEY LAW FIRM, P.A.

ATTORNEYS AT LAW

300 RAINBOW DRIVE, SUITE 207
POST OFFICE BOX 3890
FLORENCE, SOUTH CAROLINA 29502
(843) 662-8155
FAX (843) 662-1144

E-MAIL: james@mcbratneylawfirmpa.com

November 28, 2017

The Honorable V. Claire Allen
Deputy Clerk of Court, SC Court of Appeals
PO Box 11629
Columbia, SC 29211

RE: State v Major Donnard Dubose, III
Appellate Case No.: 2017-002167

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Dear Ms. Allen:

Enclosed please find an original Motion to Allow Late Filing of Notice of Appeal and Proof of Service in the above captioned matter.

Very truly yours,



James T. McBratney, Jr.

JTM/ne

Encl.

cc: J. Benjamin Alpin, Esq.

JAMES T. MCBRATNEY, JR.

James T. McBratney, Jr.
McBratney Law Firm
PO Box 3890
Florence, SC 29502

COLUMBIA, SC 29201

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SC Court of Appeals

The Honorable V. Claire Allen
Deputy Clerk of Court, SC Court of Appeals
PO Box 11629
Columbia, SC 29211

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