

ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Pickens County

Honorable Perry H. Gravely, Circuit Court Judge JAN 18 2018

RECEIVED
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

AARON VAN HENDRIX,

APPELLANT

Appellate Case No. 2016-000208

MOTION TO FILE THE RECORD
ON APPEAL OUT OF TIME

Counsel for Aaron Van Hedrix petitions the Court to allow late filing of the record on appeal in this case. In support of this petition he shows:

1. Counsel for appellant recently discovered a calendaring error in another case and thereafter audited all of his cases. In completing this audit, counsel also discovered the Record on Appeal in this case had not been timely filed because of a calendaring error. Counsel apologizes to the Court and to opposing counsel for this error due to inadvertance and counsel has taken steps to help prevent future errors from occurring.
2. Counsel conferred with Mark R. Farthing, Esq., who represents the State, and he graciously consented to this motion.

2. The Record on Appeal has been prepared and is being filed simultaneously with this petition.

WHEREFORE, the undersigned counsel asks the Court to allow late filing of the record on appeal.

A handwritten signature in black ink, appearing to read 'DAVID ALEXANDER', written over a horizontal line.

DAVID ALEXANDER
Appellate Defender
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

ATTORNEY FOR APPELLANT

This 18th day of January, 2018

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to File the Record on Appeal Out of Time in the above referenced case has been served upon Mark Farthing, Esquire, this 18th day of January, 2018.


DAVID ALEXANDER
Appellate Defender

ATTORNEYS FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 18th day of January, 2018.

 (L.S.)

Notary Public for South Carolina

My Commission Expires: July 3, 2023.