

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from York County

The Honorable S. Jackson Kimball, III Circuit Court Judge

**RECEIVED**  
FEB 12 2018  
SC Court of Appeals

NATHAN MORGAN,

RESPONDENT,

V.

THE STATE,

APPELLANT

APPELLATE CASE NO. 2017-001530  
\_\_\_\_\_

MOTION TO FILE INITIAL BRIEF OF RESPONDENT OUT OF TIME  
\_\_\_\_\_

Counsel for Nathan Morgan respectfully requests this Court to accept the Initial Brief of Respondent out of time. In support of this request, counsel shows:

1. The Respondent has received the Initial Brief of Appellant and has attempted to complete his brief within the time limit mandated by Appellate Rules of Court.
2. As attorney for Respondent, I, Charles Rudnick, have attempted to complete both my caseload as an Assistant Public Defender and the appeal in this matter.
3. The number of cases and the terms of court have hampered my ability to complete the brief required in this matter within the required time limit. Specifically, a trial scheduled for the week of February 5<sup>th</sup> 2018 in York County General Sessions.


WHEREFORE, the undersigned counsel would respectfully requests this Court to accept the initial brief of Respondent based upon the above exigent circumstances.

Respectfully submitted,



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Charles Rudnick  
Attorney for Respondent  
2-7-18



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Melissa Inzerillo  
Senior Public Defender



**16<sup>th</sup> JUDICIAL CIRCUIT  
PUBLIC DEFENDER OFFICE  
Moss Justice Center  
P.O. Box 691  
1675-1E York Highway  
York, South Carolina 29745**

The Honorable Jenny Abbott Kitchings  
Clerk of the S.C. Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211



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