

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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APPEAL FROM CHEROKEE COUNTY  
Court of Common Pleas  
Post-Conviction Relief

RECEIVED

JUN 18 2018

G. THOMAS COOPER, JR., Circuit Court Judge S.C. SUPREME COURT

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Case No.: 2018-000003

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Brian Lee Davidson #351872,..... Appellant,

vs.

State of South Carolina, .....Respondent.

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**MOTION TO ACCEPT FILING OF  
OUT OF TIME**

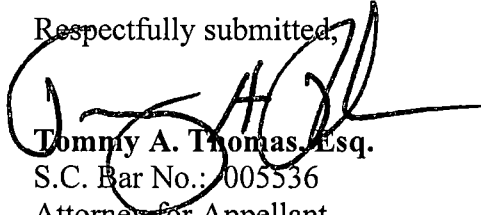
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Comes now, Tommy A. Thomas Counsel for Appellant, who respectfully makes this Motion to Accept the Filing of a Motion to Dismiss Appeal and Remand, and Appendix out of time.

That due to a docketing error, the due date for the Petition for Writ of Certiorari and Appendix was listed as June 14, 2018. Counsel for Appellant was on vacation the week of Jun 4, 2018 – June 8, 2018 when the Initial Brief and Appendix were due to be filed. That this error was discovered on Tuesday, June 11, 2018. That the Court was immediately noticed as well as the Attorney General's Office. Counsel was advised by Megan Harrigan Jameson that they had no opposition to filing out of time.

The Appellant respectfully requests the court grant this request to file the Motion to Dismiss Appeal and Remand, and Appendix out of time.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tommy A. Thomas', written over the typed name and bar number.

**Tommy A. Thomas, Esq.**

S.C. Bar No.: 005536

Attorney for Appellant,

June 15, 2018

P. O. Box 88  
Irmo, SC 29063

Tommy A. Thomas

ATTORNEY AND COUNSELOR AT LAW

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June 15, 2018

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JUN 18 2018

S.C. SUPREME COURT

The South Carolina Supreme Court  
Clerk, Daniel Shearouse  
P.O. Box 11330  
Columbia, SC 29211

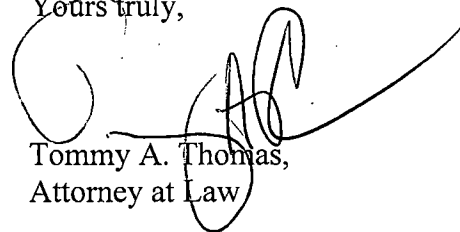
RE: Brian Lee Davidson #351872 v. State of South Carolina  
Appellate Case No.: 2018-000003

Dear Sir or Madam:

Enclosed please find for filing an original and a copy of a Motion to File out of Time, Motion to Dismiss and Remand, and an Original and two copies of the Appendix as well as a Certificate of Service in the above referenced matter.

Kindly return the clocked copies to me in the enclosed envelope. Please feel free to contact me should you have any questions.

Yours truly,



Tommy A. Thomas,  
Attorney at Law

TAT/jem

cc: Megan Harrigan Jameson, Esq.  
Brian Lee Davidson #351872