

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County
Daniel D. Hall, Circuit Court Judge

ORIGINAL

RECEIVED

JAN 24 2019

SC Court of Appeals

THE STATE,

RESPONDENT,

V.

TRAVIS LAMONT GATHERS,

APPELLANT

Appellate Case No. 2018-001727

**MOTION TO FILE THE NOTICE OF INTENT TO APPEAL
OUT OF TIME**

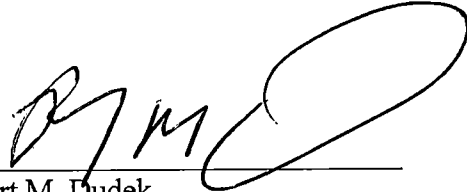
Pursuant to Rule 203, SCACR, Counsel for Travis Lamont Gathers respectfully requests the Court to accept the notice of intent to appeal out of time. In support of this request, counsel shows:

- (1) On December 13, 2018, this office received the Court's order requesting Appellant Defense to screen this case for indigency.
- (2) On January 10, 2019, Appellant Gathers was approved for this office to perfect his appeal, and to represent him on appeal.

(3) On September 24, 2018, Appellant Gathers filed a pro se notice of intent to appeal from his August 23, 2018 conviction. The notice of intent to appeal was dated August 29, 2018. That notice of intent to appeal is attached as Exhibit A.

(4) On January 16, 2019, this Court requested that our office file a Motion to File the Notice of Intent to Appeal Out of Time on behalf of Appellant Gathers.

WHEREFORE, counsel for Appellant Gathers respectfully requests the Court to accept the Notice of Intent to Appeal out of time.

A handwritten signature in black ink, appearing to read 'R M Dudek', written over a horizontal line.

Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

January 24, 2019

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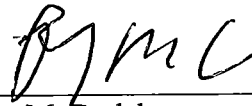
TRAVIS LAMONT GATHERS,

APPELLANT

Appellate Case No. 2018-001727

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to File the Notice of Intent to Appeal Out of Time in the above-referenced case has been served upon Kevin S. Brackett, Esquire, York County Solicitor's Office, 1675-1A York Highway, York, SC 29745, this 24th day of January, 2019.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 24th day of January, 2019.

Kevin S. Brackett (L.S.)
Notary Public for South Carolina
My Commission Expires: July 3, 2023.

EXHIBIT A

STATE OF SOUTH CAROLINA

V.

TRAVIS GATHERS
Petitioner/Defendant

Notice of Appeal

Case# P1703140452

Warrant#

2017A 4620300517

Please take notice that the Petitioner/Defendant Travis Gathers moves, on August 29, 2018 to the Court of Appeals for an Appeal of his Conviction and Sentence following a Jury Trial for Possession of Cocaine 4th and the guilty verdict on August 23, 2018 before the Honorable Daniel Hall in General Sessions Court at 1675 York Highway York, S.C. 29745.

Respectfully Submitted


Travis Gathers Petitioner

Dated:
August 29, 2018

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