

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

66692

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Michael G. Nettles, Circuit Court Judge

Case No. 2010-CP-27-00239

Appeal Case No. 2011200406

STATE OF SOUTH CAROLINA Respondent

v.

JOSEPH C. SUN Appellant

MOTION TO FILE FINAL BRIEF AS SUBMITTED

Appellant Joseph C. Sun hereby moves the court to accept his Final Brief and copies which have already been submitted to the court for filing, but was notified by the court of certain deficiencies. Appellant Sun respectfully shows the court as follows:

- (1) Appellant received two (2) letters from the court dated January 07 and January 08, 2013 informing him of certain deficiencies pertaining to the Final Brief and Record on Appeal he had submitted for filing. The letters appear to be cumulative in that they are stating the same non-compliance of SCACR, Rule 267(c), (d) and (e). ~~(See Exhibits A and B.)~~
- (2) All papers used in the copies sent to the court for filing are good quality white bond

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paper, as required by Rule 267(c), bought and copied at local Staples Stationary Store.

(3) All typewritten and reproduction papers should have a blank margin of one inch and a half on the left. Pro se Appellant had stapled all copies as his binding, though the Rule 267(d) requires one copy be unbound. Because there are only 5 pages in the entire Final Brief, each copy is stapled with no heavy tape.

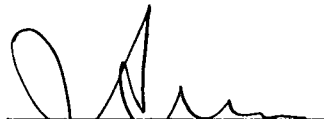
(4) Appellant did not provide covers for the briefs and Record on Appeal as required by Rule 267(e) because he misunderstood that pro se Appellants were not required to dress his papers cosmetically to the same standard or appearance as those of legal counsels.

(5) Appellant may have mislabeled the Record on Appeal as "Exhibits of Record on Appeal" and failed to insert the consecutive numbers on each of the pages.

Appellant is 66 years old and retired. He receives a small check from Social Security every month as his only source of income. He has to support his wife and step daughter, and pay child support for his daughter every month. He has limited access to legal reference and means to prepare legal documents. Appellant prays the court to grant his motion and allow him to file his Final Brief and Record on Appeal as already submitted. In the alternative, Appellant prays the court to accept his Final Brief as submitted, and allow him to resubmit a Corrected Record of Appeal within ten (10) days with the consecutive numbers on all pages inserted.

Respectfully submitted,

January 16, 2013




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PROOF OF SERVICE

I certify that I have this date served the Respondent State of South Carolina a copy of the Motion to File Final Brief As Submitted by depositing a copy of same in the United States Mail, postage prepaid on January 16, 2013 to the following address:

Darrell Thomas Johnson, LLC
P. O. Box 1125
Hardeeville, SC 29927
Attorney for Respondent



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