

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County

DeAndrea G. Benjamin, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

ROBERT XAVIER GETER,

APPELLANT

Appellate Case No. 2018-001647

**MOTION TO FILE EXTENSION
OUT OF TIME**

Pursuant to Rule 240, SCACR, Counsel for Robert Xavier Geter respectfully requests the Court to accept the first extension in this case out of time. In support of this request, counsel shows:

(1) The Extension was due to be served and filed with this Court yesterday on August 19, 2019, in accordance with Rule 211, SCACR.

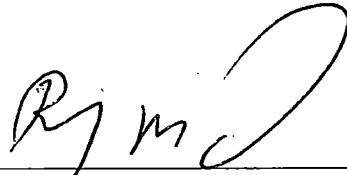
(2) However, due to a calendaring error, the assistant to Counsel for Appellant neglected to email the extension to this Court yesterday. Our office acted immediately upon realizing the error to prepare the extension and file it with this Court along with this Motion.

(3) Counsel makes this request in good faith and not for purposes of delay.

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(4) Counsel for the Attorney General's Office consents to this request as shown by her signature below.

WHEREFORE, counsel for Appellant respectfully requests the Court accept the first thirty-day extension as filed out of time. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

August 20, 2019

I Consent:



For Melody J. Brown, Esquire

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THE STATE,

RESPONDENT,

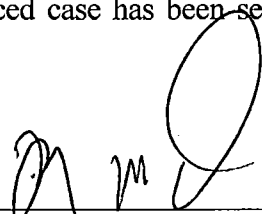
V.

ROBERT XAVIER GETER,

APPELLANT

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Accept the extension Out of Time in the above referenced case has been served upon Melody J. Brown., Esquire, this 20th day of August, 2019.



Robert M. Dudek
Chief Appellate Defender

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me
this 20th day of August, 2019.

 (L.S.)
Notary Public for South Carolina

My Commission Expires: July 26, 2028.