

THE STATE OF SOUTH CAROLINA
In The Court of Appeal

Appeal from Cherokee County
Court of General Sessions

Case No. 2014-GS-11-00878

State of South Carolina,.....Respondent

v.

Rajshun Bernard Foster,.....Appellant.

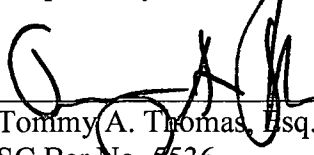
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SC Court of Appeals

MOTION TO FILE BELATED APPEAL

Comes now, Tommy A. Thomas, Counsel for Petitioner, respectfully requesting to be allowed to file a belated appeal in the above referenced matter. Counsel would show this Court that the Appellant's trial counsel, Tracy Racine, filed a timely Notice of Appeal with the Cherokee County Clerk of Court on July 26, 2019, and served opposing counsel, Kim Leskanić, of the Seventh Circuit Solicitor's Office, on the day prior, July 25, 2019. Ms. Racine apparently did not file the notice of appeal with S.C. Court of Appeals as required by SCACR 203(d)(1)(A). It is the belief of Appellant that the Respondent would not be prejudiced by this action, and that he should be entitled to have his appeal, having not waived that right.

For these reasons, Appellant, through his attorney, respectfully requests that the direct appeal of his sentence and conviction be allowed to proceed.

Respectfully submitted,



Tommy A. Thomas, Esq.
SC Bar No. 5536
P. O. Box 88
Irmo, SC 29063
(803)732-5507

September 11, 2019

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of General Sessions

Case No.: 2014-GS-11-00878

State of South Carolina,Respondent

vs.

Rajshun Bernard Foster,Appellant.

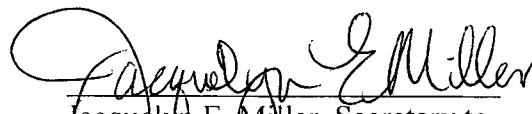
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CERTIFICATE OF SERVICE

I, Jacquelyn E. Miller, Secretary to Tommy A. Thomas, Attorney for the Appellant
hereby certify that I placed in the United States Mail, a copy of a Motion to File Belated Appeal,
with postage prepaid and the return address clearly shown on said envelope to:

William M. Blich, Jr., Esq.
Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211-1549

Kim Leskanic, Esq.
Cherokee County Solicitor's Office
125 E. Floyd Bake Blvd.
Gaffney, SC 29340



Jacquelyn E. Miller, Secretary to
Tommy A. Thomas, Esq.
Attorney for Appellant
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September 11, 2019

Tommy A. Thomas

ATTORNEY AND COUNSELOR AT LAW

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September 11, 2019

V. Clare Allen, Deputy Clerk
S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

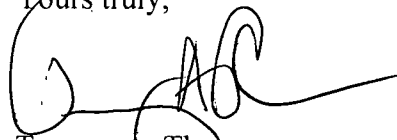
RE: State v. Rajshun Bernard Foster
Lower Court Case No.: 2014-GS-11-00878

Dear Sir or Madam:

Enclosed please find an original and a copy of a Motion to File Belated Appeal,
with attachments.

Kindly return the clocked copies to me in the enclosed envelope. Thank you.

Yours truly,



Tommy A. Thomas,
Attorney at Law

TAT/jem
cc: William M. Blich, Jr. Esq.
Rajshun Bernard Foster #320680
Kim Leskanic, Esq.

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Tommy A. Thomas, P.C.

ATTORNEY AND COUNSELOR AT LAW

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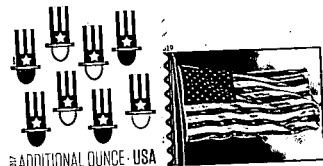
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