

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of General Sessions

Perry H. Gravely, Circuit Judge

Appellate Case No. 2017-002539

RECEIVED
SEP 26 2019
SC Court of Appeals

The State,.....Respondent,

v.

John Michael Hughes.....Appellant.

MOTION FOR EXTENSION OUT OF TIME TO SERVE AND TO FILE
PROOF OF SERVICE OF RECORD ON APPEAL

Andrew S. Radeker
S.C. Bar No. 73743
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(803) 779-2211
Attorney for Appellant

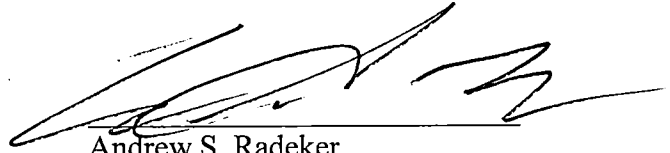
Robert M. Dudek
S.C. Bar No. 1767
Office of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211
(803) 734-1330
Attorney for Appellant

Appellant hereby moves pursuant to Rule 263(b), SCACR, for extension to today, September 26, 2019, of the time in which to serve the Record on Appeal in this case and file proof of service of the same. The grounds for this motion are that there is good cause to grant the requested extension, as the following shows:

1. Through inadvertence, the undersigned missed the deadline to serve the record on appeal in this case.
2. Opposing counsel consented to an extension of the deadline out of time. (Opposing counsel actually consented to an extension longer than that sought in this motion.) Around the same time as that consent was given, the court advised that proof of service of the record on appeal must be filed with this instant motion on or before today, September 26, 2019.
3. Appellant's counsel believes there is good cause to grant the requested extension of this deadline.

WHEREFORE Appellant prays for an order extending the time in which to serve the Record on Appeal in this case and file proof of service of the same to September 26, 2019.

Respectfully submitted,



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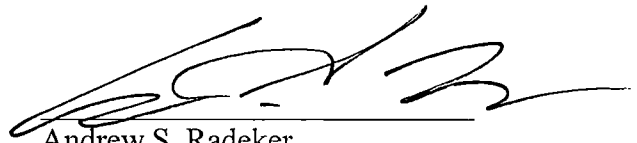
John Michael Hughes.....Appellant.

PROOF OF SERVICE

I certify that I served the foregoing motion for an extension out of time to serve the record on appeal in the above-captioned appeal by delivering it to Caroline Scrantom, Esq., who represents the respondent in this appeal, at the following address:

Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, SC 29201

Respectfully submitted,



Andrew S. Radeker
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(803) 779-2211
Attorney for Appellant

September 26, 2019

James C. Harrison, Jr.*
Andrew S. Radeker
Taylor M. Smith IV

* Mediator/Arbitrator

**HARRISON
& RADEKER
& SMITH P.A.**
ATTORNEYS AT LAW

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September 26, 2019

VIA HAND DELIVERY

The Hon. Jenny Abbott Kitchings
Clerk of Court, Court of Appeals of South Carolina
1220 Senate Street
Columbia, South Carolina 29201

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SC Court of Appeals

Re: State of South Carolina v. John Michael Hughes
Appellate Case No. 2017-002539

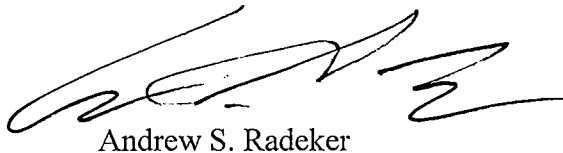
Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced case are a motion for extension out of time for the service of the record on appeal and the filing of proof of such service, as well as the proof of service of the record on appeal. Per Rule 210(b), SCACR, we will be filing record on appeal itself at or before the time final briefs are filed. Also enclosed is a proposed order to transport exhibits.

Kindly file the motion and return a file-stamped copy to this office in the stamped and addressed envelope enclosed. When and if the proposed order is signed, please provide this office with a file-stamped copy thereof as well. Of course, if you or your staff have any questions or concerns, please do not hesitate to contact me.

With kind regards, I am,

Very truly yours,
HARRISON, RADEKER & SMITH, P.A.



Andrew S. Radeker

ASR/

Enclosures

cc: Robert Dudek, Esq.
Caroline Scrantom, Esq.