

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

MAR 04 2020

SC Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions
The Honorable Thomas Anthony Russo, Circuit Court Judge

Appellate Case No. 2017-001229

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

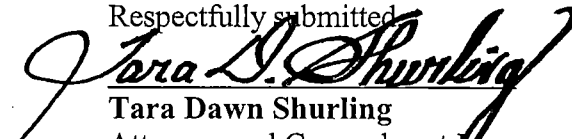
DAVID HAROLD CAMPBELL,

APPELLANT.

Motion to File Record on Appeal Out of Time

The undersigned attorney submitted the Record on Appeal in the above captioned matter for filing on February 4, 2020, along with her certificate of service on opposing counsel. By correspondence dated February 6, 2020, this Honorable Court notified Counsel that the Record on Appeal was due on January 13, 2020, and gave counsel ten days to file a motion to file the Record on Appeal out of time. That original error was compounded when the Court's correspondence in this case, and one other, was not properly filed and the due date for the Motion to File the Record on Appeal Out of Time was accordingly not calendared. Counsel discovered this error on March 3, 2020. At this time Counsel for Appellant respectfully asks that the Record on Appeal submitted to the Court on February 4, 2020, be accepted for filing out of time. Counsel has hired a new paralegal and is taking measures to insure that this kind of error will hopefully not happen again. Counsel has discussed this matter with opposing counsel, David A. Spencer, Senior Assistant Attorney General, who has graciously consented to this motion.

Respectfully submitted,



Tara Dawn Shurling

Attorney and Counselor at Law
S. C. Bar No. 5099

March 4, 2020

ATTORNEY FOR APPELLANT

RECEIVED

MAR 04 2020

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM HORRY COUNTY
Court of General Sessions

The Honorable Thomas Anthony Russo, Circuit Court Judge

Appellate Case No. 2017-001229

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

DAVID HAROLD CAMPBELL,

APPELLANT.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that one copy of Appellant's Motion to File Record on Appeal Out of Time in the above-entitled case has been served upon opposing counsel this the 4th day of March, 2020 by mailing one (1) copy in a stamped envelope properly addressed to:

David A. Spencer
Senior Assistant Deputy Attorney General
Office of the Attorney General
P. O. Box 11549
Columbia, SC 29211


TARA DAWN SHURLING
Attorney and Counselor at Law
S.C. Bar No. 5099

ATTORNEY FOR APPELLANT.

SWORN TO BEFORE me this 4th day
of March, 2020.


Notary Public for South Carolina (L.S.)

CARRI ADDINGTON
Printed Name of Notary Public

My Commission Expires: 11/29/2027