

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Darlington County

Roger E. Henderson, Circuit Court Judge

RECEIVED

May 19 2020

SC Court of Appeals

IN THE MATTER OF THE CARE AND
TREATMENT OF LARRY J. TYLER,

APPELLANT.

Appellate Case No. 2018-001442

**MOTION TO ACCEPT THE
RECORD ON APPEAL OUT OF TIME**

Pursuant to Rule 240, SCACR, Counsel for Larry J. Tyler respectfully requests the Court to accept the Record on Appeal in this case out of time. In support of this request, counsel shows:

(1) The Record on Appeal was due to be served and filed with this Court on April 8, 2020 in accordance with Rule 210, SCACR, and the deadline was subsequently extended to April 27, 2020 following the Court of Appeals instruction pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020.

(2) As a result of an administrative error, the record was not timely filed. Counsel acted immediately upon realizing the error to file the Record on Appeal and file it with this Court along with this Motion.

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

(4) Counsel for the Attorney General's Office has graciously consented to this motion.

WHEREFORE, counsel for Appellant respectfully requests the Court accept the Record on Appeal as filed out of time.

Respectfully Submitted,

/s/ Thomas F. McDow

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ATTORNEY FOR APPELLANT

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the Record on Appeal in the above-referenced case has been served upon Deborah R.J. Shupe, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 19th day of May, 2020.

/s/ Thomas F. McDow

Thomas F. McDow

ATTORNEY FOR APPELLANT