

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Jun 24 2020

SC Court of Appeals

Appeal from York County  
Honorable William A. McKinnon, Circuit Court Judge  
Appellate Case No. 2019-000470  
Trial Court Case No. 2018GS4607326

THE STATE, .....APPELLANT,

v.

HAROLD GENE WHITE, III .....RESPONDENT.

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

Appellant (“the State”), through its undersigned counsel, petitions the Court to allow late filing of the Record on Appeal in this case. In support of this motion Appellant shows:

1. Due to a communications and calendaring error the deadline for the Record on Appeal was missed. As a result the Record on Appeal was not filed. Counsel apologizes for this error.
2. The Record on Appeal has been prepared and is being submitted along with this petition.
3. Counsel has conferred with opposing counsel, David Alexander, Esquire, who graciously consents to Respondent’s motion.

WHEREFORE, the undersigned counsel petitions the Court to allow late filing of the Record on Appeal.

By: 

FOIA WILLIAM F. SCHUMACHER, IV  
Assistant Attorney General  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3713

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**CERTIFICATE OF SERVICE**

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I, Shana Montgomery, certify that I have served the within Motion to File Record on Appeal Out of Time on Appellant via email to the address listed by counsel in AIS with a copy of the same to follow in the United States mail, postage prepaid, addressed to:

David Alexander, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, South Carolina 29211-1589

I further certify that all parties required by Rule to be served have been served this 24th day of June, 2020.



Shana Montgomery  
Legal Assistant  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-0368

## Shana Montgomery

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**From:** Shana Montgomery  
**Sent:** Wednesday, June 24, 2020 4:18 PM  
**To:** Alexander, David; 'Matthews, Lindsey'  
**Cc:** Shana Montgomery; Bill Schumacher; Caroline Collins  
**Subject:** State V. Harold G. White III; Appellate Case No. 2019-00470  
**Attachments:** WHITE III Harold - Appellate Case No. 2019-000470-Cover Letter (02310822xD2C78).pdf; WHITE III Harold - Appellate Case No. 2019-000470- Record on Appeal (02310819xD2C78).pdf; WHITE III Harold - Appellate Case No. 2019-000470-Motion to file ROA out of time (02310808xD2C78).pdf

**Follow Up Flag:** Worldox

Good Afternoon,

Attached please find a copy of the Record on Appeal, and the Motion to File Record on Appeal Out of Time in State V. Harold G. White, III, along with their cover letter. These documents will be submitted to the Court of Appeals through the AIS system today.

If you will, please confirm receipt of the this email.

Thank You!

Shana Montgomery  
Legal Assistant  
Criminal Appeals Section  
SC Attorney General's Office  
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Columbia, SC 29211-1547  
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