

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
Robin B. Stilwell, Circuit Court Judge

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Jul 07 2020
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

SHANNON EARL GARLAND,

APPELLANT

APPELLATE CASE NO. 2018-002085

MOTION TO FILE THE
RECORD ON APPEAL OUT OF TIME

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, undersigned counsel requests relaxation of Rule 210, SCACR, and allow leave in which to file the record on appeal in this case out of time. In support of this petition, she respectfully presents:

1. The record on appeal in the above-referenced case was due to be filed with this Court on July 6, 2020. Despite the best efforts of undersigned counsel to prepare the record on appeal in order to file it timely, counsel was unable to do so.
2. Undersigned counsel has communicated with David Spencer, Esquire, who represents the state in this matter, regarding our inability to file the record on appeal

timely. Mr. Spencer expressed his consent to the filing of the record on appeal out of time.

WHEREFORE, the undersigned counsel petitions the Court to grant counsel's request to relax Rule 210, SCACR, and allow leave in which to file the record in the above titled case out of time.

s/Susan B. Hackett

Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT

July 7, 2020

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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 Motion to File the Record on Appeal Out of Time in the above referenced case has been served upon David Spencer, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), which is dspencer@scag.gov, this 7th day of July, 2020.

s/Susan B. Hackett

Susan B. Hackett
Appellate Defender

ATTORNEY FOR APPELLANT