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Mar 10 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions
The Honorable Frank R. Addy, Circuit Court Judge

Appellate Case No. 2019-001920

THE STATE,RESPONDENT,

v.

RODNEY JEROME FURTICK,APPELLANT.

**MOTION TO FILE OUT OF TIME
FINAL BRIEF OF RESPONDENT**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Final Brief of Respondent and Designation of Matter were due to be served and filed on January 19, 2021.

II.

Respondent drafted and signed a final brief of respondent, but inadvertently served Appellant and filed with the Court a copy of Appellant’s Final Brief, which had been served on the State on January 11, 2015. The undersigned counsel regrets this oversight.

WHEREFORE, based on the foregoing, Respondent moves the Court to grant its request to allow filing of Respondent's motion for a third extension of time, accept the motion as filed, and treat the extension as granted on the day the original motion was due.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM F. SCHUMACHER, IV
Assistant Attorney General

By:  _____

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
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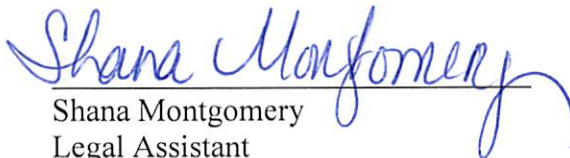
v.

RODNEY JEROME FURTICK,APPELLANT.

PROOF OF SERVICE

I, Shana Montgomery, certify that I have served the within Motion to File out of Time the Final Brief of Respondent on Appellant a copy, via electronic mail listed by counsel in AIS, addressed to this attorney of record, Joanna K. Delany, Esquire. S.C. Commission on Indigent 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 10th day of March, 2021.



Shana Montgomery
Legal Assistant
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(803) 734-0368