

**RECEIVED**

**Apr 26 2022**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Marion County

Michael G. Nettles, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

DAVID MELVIN GRAVES,

APPELLANT

APPELLATE CASE NO. 2021-000866

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**MOTION TO ACCEPT THE  
ANDERS BRIEF OF APPELLANT  
AND RECORD ON APPEAL OUT OF TIME**

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Pursuant to Rule 240, SCACR, Counsel for David Melvin Graves respectfully requests the Court accept the Anders Brief of Appellant and Record on Appeal in this case out of time. In support of this request, counsel shows:

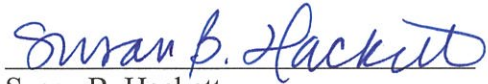
(1) The Anders Brief of Appellant and Record on Appeal were due to be served and filed with this Court on April 25, 2022, in accordance with Rule 208(a), SCACR, Rule 210(a), SCACR, Rule 211(a), SCACR, and prior orders of this Court.

(2) Counsel was out of the office on annual leave on April 25, 2022. Counsel's legal assistant was out of the office due to sickness on April 25, 2022. In light of these absences, neither a request to extend the time for filing nor the brief and record on appeal were filed.

- (3) Counsel makes this request in good faith and not for purposes of delay.
- (4) Counsel communicated with the State regarding this request, and Counsel for the

State consents.

WHEREFORE, counsel for Appellant respectfully requests the Court accept the Anders Brief of Appellant and Record On Appeal as filed out of time.



Susan B. Hackett  
Appellate Defender

ATTORNEY FOR APPELLANT

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CERTIFICATE OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Motion to Accept the Anders Brief of Appellant and Record on Appeal Out of Time in the above referenced case has been served upon Melody J. Brown, Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), which is mbrown@scag.gov, this 26th day of April, 2022.



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Susan B. Hackett  
Appellate Defender

ATTORNEY FOR APPELLANT