

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

The State

Appellant,

vs

Bailey Taylor

Respondent.

**MOTION OUT OF TIME FOR EXTENSION
TO SERVE AND FILE RECORD ON APPEAL**

Respondent initial brief designation of matter through its undersigned counsel would respectfully show unto this court as follows:

I.

The initial brief of respondent and designation of matter to be filed on May 1, 2013. However, due to our heavy court schedule of 10 cases in the last 2 weeks, coupled with this being our first experience with the Court of Appeals and being unfamiliar with the legal process it will not be complete in time. The undersigned asks this Court to accept this Motion for an Extension of time.

II

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme dated March 18, 2009, the respondent moves for a first extension in the above referenced appeal to serve and file the initial respondent and designation of matter

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MAY 29 2013

SC Court of Appeals

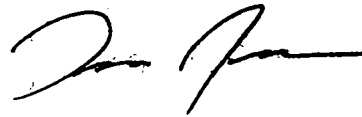
III

This extension request is not intended for purposes of delay, but rather to ensure the initial respondent and designation of matter is properly compiled and prepared. The Record will be completed in a timely manner. I would, therefore, request a first extension of time within which to serve and file the initial respondent and designation of matter.

WHEREFORE, Respondent prays that the court hold this matter in abeyance until ruling on this motion, allow this motion be served and filed out of time, and extend the deadline for the service and filing of the initial respondent and designation of matter in this case for thirty (30) Days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Travis A. Newton, PA
Attorney at Law



TRAVIS A. NEWTON, PA
Attorney at Law
SC Bar No.15608

Travis A, Newton P.A.
210 N. McDuffie Street Ste. LL1
Anderson SC, 29621
(864)965-9148

ATTORNEY FOR THE RESPONDANT

May 24, 2013

FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM OCONEE COUNTY

Honorable Alexander S. Macaulay, Circuit Court Judge

Case No. 2012-213018

Bailey Taylor

Respondent,

v.

The State,

Appellant.

PROOF OF SERVICE

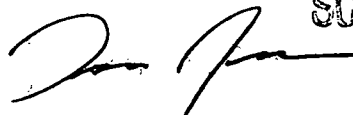
I Travis A. Newton, certify that I have served the Motion for Extension Of Time Within Which To Serve and File the initial brief of respondent and designation of matter on the Appellant by depositing a copy of it in the United States Mail, postage prepaid, on May 24, 2013, to the attorney of record, Mr. William M. Blich, Jr., Assistant Attorney General of Columbia, South Carolina 2921, VIA CERTIFIED MAIL: 7012 1640 0000 2556 1091, address to:

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

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MAY 29 2013

SC Court of Appeals



May 24, 2013

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TELEPHONE: 864-965-9148 FAX: 864-965-9150

May 24, 2012

VIA EXPRESS MAIL No. EG 711254756 US
The Honorable Jenny A Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

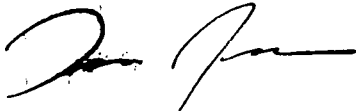
Re: The State vs. Bailey Taylor
Appellate Case No.2012-213018

Dear Ms Kitchings,

Please extend our sincere gratitude to your Deputy Clerk, Ms Claire Allen for patiently taking her time in explaining the proper format and terminology for filing the Request of Extension Of Time for our client.

Please find the revised Request of Extension Of Time that now reads for the "respondent" vs "appellant". Enclosed is the original and six (6) copies of a motion for extension of time within which to serve and file initial brief of respondent and designation of matter along with proof of service for filing in the above referenced appeal.

Sincerely,



Travis A. Newton, PA
Attorney at Law
SC Bar No. 15608

cc: Mr. William M. Blich, Jr.
Assistant Attorney General
PO Box 11549
Columbia, SC 29211

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SC Court of Appeals