

**RECEIVED**

**Oct 21 2022**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Florence County  
The Honorable Roger E. Henderson, Circuit Court Judge  
Appellate Case No. 2021-000734

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IN THE MATTER OF THE CARE AND TREATMENT  
OF ANDY EUGENE HYMAN,

APPELLANT.

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**MOTION FOR THIRD EXTENSION OF TIME TO SERVE  
AND FILE THE INITIAL BRIEF OF RESPONDENT AND  
DESIGNATION OF MATTER.**

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Respondent, State of South Carolina, hereby moves for a third extension of time to file the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal. Respondent submits the following.

1. The Initial Brief of Respondent and Designation of Matter are due to be filed and served October 21, 2022, pursuant to a second extension. Respondent requests a third extension to serve and file these documents, which is not made for the purpose of delay, but due to a heavy workload.

2. Counsel has worked on the Initial Brief and Designation of Matter but has been unable to complete them prior to the due date. Counsel assures the Court completion of the Brief is a high priority, and she will work diligently to complete it.

3. The Attorney General's Office and opposing counsel with the Office of Indigent Defense, have consented to extension requests by way of general consent for all extensions until October 31, 2022. The undersigned also advised opposing counsel of this specific extension request.

Based on the foregoing, counsel for Respondent respectfully requests that this Court grant a third extension in which to file and serve the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this Motion.

Respectfully submitted,

ALAN WILSON  
Attorney General

DEBORAH R.J. SHUPE  
Senior Assistant Deputy Attorney General

By:

  
Deborah R.J. Shupe

DONALD J. ZELENKA  
Deputy Attorney General

By:

  
Donald J. Zelenka

October 21, 2022

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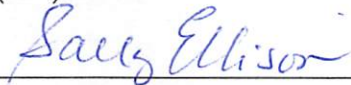
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**PROOF OF SERVICE**

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I, Sally Ellison, certify that I have served the Motion for Third Extension to File Initial Brief of Respondent and Designation of Matter on Appellant, by depositing a copy in the United States Mail, postage prepaid, addressed to Lara M. Caudy, Appellate Defender, by depositing a copy in the United States mail, postage prepaid, and at the primary e-mail address listed in the Attorney Information System (AIS) this 21<sup>st</sup>. day of October, 2022.

Lara M. Caudy, Esquire  
SCCID  
Post Office Box 11589  
Columbia, South Carolina 29211-1589  
(803) 734-133

  
\_\_\_\_\_  
Sally Ellison, Legal Assistant  
Office of the Attorney General  
PO Box 11549  
Columbia, SC 29211-1549

October 21, 2022

## Sally Ellison

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**From:** Sally Ellison  
**Sent:** Friday, October 21, 2022 11:00 AM  
**To:** 'lcaudy@sccid.sc.gov'; Kapeluck, Eliza  
**Cc:** Deborah Shupe; Sally Ellison; Victim Services  
**Subject:** IN THE MATTER OF ANDY EUGENE HYMAN APPELLATE CASE NO. 2021-000734  
**Attachments:** ATP Scan In Progress

Good Morning:

Attached for service this date is the Respondent's Motion for Third Extension of Time to Serve and File the Initial Brief and Designation of Matter in the above appeal. The Initial Brief and Designation of Matter will also be provided by depositing a copy in the U.S. Mail as set forth in the Proof of Service.

Please acknowledge receipt of the attached Motion.

**SALLY ELLISON, LEGAL ASSISTANT**  
**SCAttorney General**  
**Post Office Box 11549**  
**Columbia, SC 29211-1549**  
**803-734-4156**

