

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED  
JUN 05 2013  
SC COURT of Appeals

Appeal from Horry County  
Honorable Larry B. Hyman, Circuit Court Judge  
Appellate Case Tracking No. 2011-203707

The State,

Respondent,

vs.

Julia Gorman,

Appellant.

**MOTION OUT OF TIME FOR EXTENSION  
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT AND  
DESIGNATION OF MATTER**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter were due to be served and filed on June 4, 2013. However, due to an oversight by the undersigned the motion for a third extension was not timely filed. The undersigned asks this Court to accept this Motion for an Extension out of time because there should be no prejudice to Appellant.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a third extension in the above referenced appeal to serve and file the Initial Brief of Respondent and Designation of

Matter. Due to work required in other cases pending before this Court and the South Carolina Court of Appeals, I am unable to complete this Brief on time. The undersigned has completed briefs in State v. Mozee, State v. Johnson, State v. Pitts, State v. Gadsden, and State v. Fuller. Additionally, the undersigned completed a Return to the Petition for Writ of Certiorari in State v. Samuel and State v. Donahue. The undersigned completed a Brief in Opposition to a Petition for Writ of Certiorari filed in the United States Supreme Court in the case of State v. Phillips. The undersigned has also prepared Returns to Petitions for Rehearing in State v. Blakely and State v. Pradbrusi. Further, the undersigned has participated in oral argument at the Court of Appeals in State v. Carlisle, State v. Rhoad, State v. Tilmon, and State v. Watson, and in the Supreme Court in State v. Hercheck. Finally, the undersigned is preparing for oral argument today in State v. Tyre.

### III.

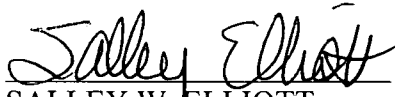
This extension request is not intended for purposes of delay, but rather to ensure the Initial Brief is properly researched and prepared. I would therefore request a third extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of 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,


ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Assistant Attorney General



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SALLEY W. ELLIOTT  
Senior Assistant Deputy Attorney General



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WILLIAM M. BLITCH, JR.  
Assistant Attorney General  
S.C. Bar No. 15608

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

ATTORNEYS FOR RESPONDENT

June 5, 2013

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Horry County  
Honorable Larry B. Hyman, Circuit Court Judge  
Appellate Case Tracking No. 2011-203707

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The State,

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**PROOF OF SERVICE**

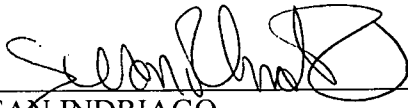
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I, Jean Indriago, certify that I have served the Motion Out of Time for Extension to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Susan B. Hackett, Esquire  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, South Carolina 29211

I further certify that all parties required by Rule to be served have been served.

This 5<sup>th</sup> day of June, 2013.

  
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JEAN INDRIAGO  
Office of Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3727

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SC Court of Appeals



ALAN WILSON  
ATTORNEY GENERAL

June 5, 2013

**VIA HAND DELIVERY**

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: State v. Julia Gorman  
Appellate Case Tracking No. 2011-203707

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion Out of Time for Extension 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,

William M. Blich, Jr.  
Assistant Attorney General  
S.C. Bar No. 15608

Enclosures

cc: Susan B. Hackett, Esquire  
Victim Services

**RECEIVED**

JUN 05 2013

**SC Court of Appeals**