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Dec 16 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Cherokee County
Honorable R. Keith Kelly, Circuit Court Judge
Appellate Case Tracking No. 2022-000687

Benjamin Paul Hannon,

Appellant,

vs.

The State,

Respondent.

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

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

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed December 16, 2022.

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. Due to the issues raised and work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief on time. The undersigned has completed the Return to Emergency Motion for Appeal Bond in State v. Martin, Returns to Petition for Writ of Certiorari in State v. Peele and State v. Brewton, and the Brief of Petitioner in State v. Perry. The undersigned

also participated in the oral argument in State v. Leggette and State v Cook. The Initial Brief in this case is one of the next briefs the undersigned plans to complete.

III.

This extension request is not intended for purposes of delay, but rather to ensure the 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.

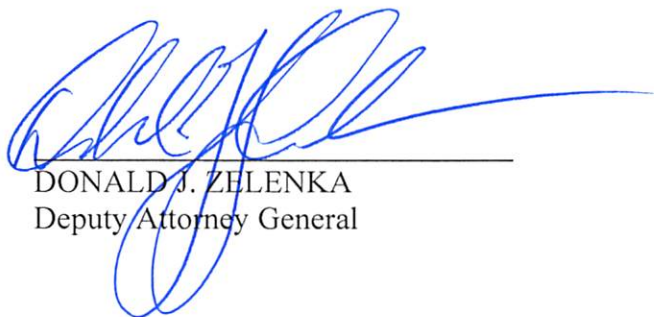
WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

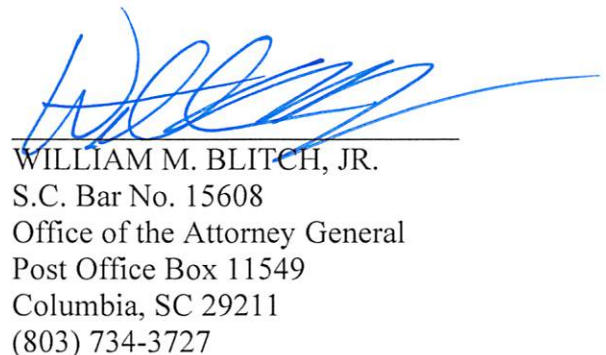
ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General

I have reviewed and approve this request:



DONALD J. ZELENKA
Deputy Attorney General



WILLIAM M. BLITCH, JR.
S.C. Bar No. 15608
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

December 16, 2022

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PROOF OF SERVICE

I, Caroline Collins, certify that I have served the Motion for Third Extension of Time to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by email to Appellant's counsel of record, Christopher Michael Bain, at the email address provided by the Attorney Information System (AIS).

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

This 16th day of December, 2022.



CAROLINE COLLINS
Administrative Coordinator
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727

Caroline Collins

From: Caroline Collins
Sent: Friday, December 16, 2022 12:02 PM
To: bain@winter-rhoden.com
Cc: William Blicht
Subject: Benjamin Paul Hannon v. The State (2022-000687)
Attachments: HANNON Benjamin - Third Extension Motion - 2022-000687 (03178634xD2C78).PDF

Good Afternoon Mr. Bain,

Attached please find a Motion for Third Extension of Time to Serve and File Initial Brief of Respondent and Designation of Matter in Benjamin Paul Hannon v. The State (2022-000687). This motion will be submitted to the South Carolina Court of Appeals via the AIS One Drive System.

If you will, please reply to this email to confirm receipt.

Thank you!

CAROLINE COLLINS, Administrative Coordinator
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