

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Marion County
D. Craig Brown, Circuit Court Judge
Appellate Case No. 2012-210127

IN THE MATTER OF THE CARE AND
TREATMENT OF JIMMY MAC McBRIDE,

Appellant.

RECEIVED

JUN 12 2013

SC Court of Appeals

**MOTION TO RELAX RULE 211(a), SCACR, AND TO FILE
THE FINAL BRIEF OF RESPONDENT OUT OF TIME**

Respondent, by and through undersigned counsel, making its Motion to Relax Rule 211(a), and to File Final Brief of Respondent Out of Time, would show unto this Court:

The Final Brief of Respondent in the above-captioned matter were due to be filed and served on June 10, 2013. Due to a calendaring oversight, however, the Final Brief was not timely filed and served. Therefore, Respondent respectfully requests that this Court relax Rule 211(a), SCACR, and allow Respondent to file the Final Brief of Respondent out of time.

The undersigned hereby certifies that she consulted with opposing counsel regarding this Motion, who authorized counsel to advise the Court she does not oppose the relief requested herein.

WHEREFORE, it is respectfully requested that this Motion be granted and that the Final Brief of Respondent submitted simultaneously herewith be accepted for filing.

(SIGNATURE ON NEXT PAGE)

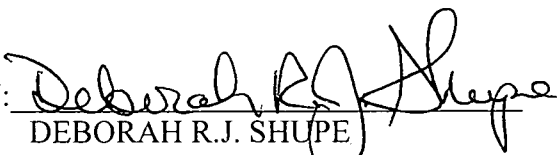
Respectfully submitted,

ALAN WILSON
Attorney General

JOHN W. McINTOSH
Chief Deputy Attorney General

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BY: 
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ATTORNEYS FOR RESPONDENT

June 12, 2013

STATE OF SOUTH CAROLINA

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Appellant.

PROOF OF SERVICE

I, Sally B. Ellison, certify I served Respondent's Motion to Relax Rule Rule 211(a), SCACR, and to File the Final Brief of Respondent Out of Time, on Appellant by depositing a copy in the United States mail, postage prepaid, addressed to:

LaNelle Cantey DuRant
Assistant Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

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

This 12th day of June, 2013.



SALLY B. ELLISON
Legal Assistant

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



ALAN WILSON
ATTORNEY GENERAL

June 12, 2013

LaNelle Cantey DuRant
Assistant Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

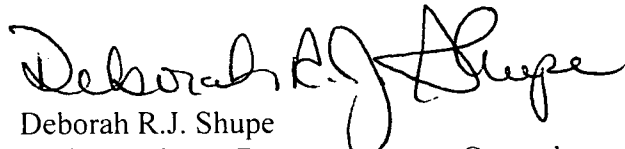
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RE: In the Matter of the Care and Treatment of Jimmy Mac McBride
Appellate Case No. 2012-210127

Dear Ms. DuRant:

Enclosed herewith and served upon you is Respondent's Motion to Relax Rule 211(a), SCACR, and to File the Final Brief of Respondent Out of Time, with proof of service, in the above referenced case.

Sincerely,


Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

DRJS/sbe

Enclosures

cc: The Honorable Jenny Abbott Kitchings (original and 7 copies enclosed)