

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal From Richland County  
Honorable DeAndrea G. Benjamin, Circuit Court Judge  
\_\_\_\_\_

RICHLAND COUNTY SHERIFF'S DEPARTMENT,

**RECEIVED**  
MAY 25 2012  
**SC Court of Appeals**  
APPELLANT,

vs.

NIZAR AWDE,

RESPONDENT.

\_\_\_\_\_  
**MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE THE  
INITIAL BRIEF OF APPELLANT AND DESIGNATION OF MATTER**  
\_\_\_\_\_

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

I.

The Initial Brief of Appellant and Designation of Matter are due to be filed and served, May 29, 2012, pursuant to two previous extensions granted by the Court.

II.

Due to work required in other cases pending before this and other Courts, including preparing for two days of post-conviction relief hearings in the First Judicial Circuit, training a new PCR attorney, and other matters, I am unable to complete this Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Appellant prays that the Court extend the deadline for the service and filing of the Initial Brief of Appellant and Designation of Matter in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper. Opposing counsel has verbally consented to this extension request.

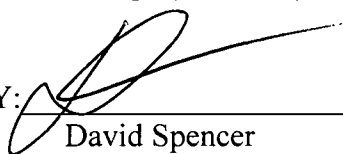
Respectfully submitted

ALAN WILSON  
Attorney General

JOHN W. McINTOSH  
Chief Deputy Attorney General

DAVID SPENCER  
Assistant Deputy Attorney General

BY:

  
\_\_\_\_\_  
David Spencer

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

ATTORNEYS FOR APPELLANT

May 25, 2012

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Honorable DeAndrea G. Benjamin, Circuit Court Judge  
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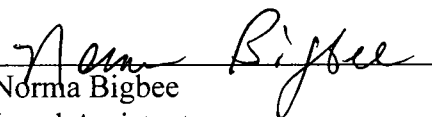
**SC Court of Appeals**

\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

I, Norma Bigbee certify that I have served the Motion for Extension of Time to Serve and File the Initial Brief of Appellant and Designation of Matter on Respondent by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorneys of record, Jonathan S. Altman, Esquire at P.O. Box 600, Charleston, SC 29402 and Jonathan S. Gasser, Esquire at 1529 Laurel St., Columbia, SC 29201.

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

This 25<sup>th</sup> day of May, 2012.

  
\_\_\_\_\_  
Norma Bigbee  
Legal Assistant

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



ALAN WILSON  
ATTORNEY GENERAL

May 25, 2012

**VIA HAND DELIVERY**

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

Re: **Richland County Sheriff v. Nizar Awde**  
**2010-CP-40-7546**

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Motion for Extension of Time within which to serve and file the Initial Brief of Appellant and Designation of Matter along with proof of service for filing in the above-referenced case.

Sincerely,

David Spencer  
Assistant Deputy Attorney General

DS/nb  
**Enclosures**

cc: Jonathan S. Gasser, Esquire (1 copy enclosed)  
Jonathan S. Altman, Esquire (1 copy enclosed)

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MAY 25 2012  
SC Court of Appeals