

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Kristi L. Harrington, Circuit Court Judge

Appellate Case No. 2012-213734

RECEIVED

NOV 25 2013

SC Court of Appeals

THE STATE,..... Respondent,

v.

JAMES LAMONT MOORE, Appellant.

PETITION FOR EXTENSION TO FILE
INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

The undersigned counsel respectfully requests a forty-five day extension in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed on Monday, December 2, 2013.
2. Undersigned counsel has read the transcript of record and attended the Continuing Legal Education seminar on October 24, 2013.
3. Undersigned counsel has contacted the Appellant to request the waiver of a potential conflict as the undersigned and members of his firm handle criminal domestic violence cases for the State.

4. The undersigned counsel has made two written attempts to contact the Appellant about the potential conflict and has yet to hear back from the Appellant concerning this matter.

5. This request is made in good faith, and not for purposes of delay.

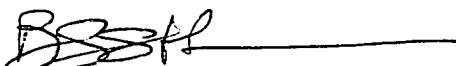
6. This request is made for a forty-five day extension, or until January 17, 2013, because a thirty-day extension would expire on January 2, 2013.

7. As indicated by her consent below, counsel for the State graciously consents to this request.

WHEREFORE, the undersigned counsel would respectfully request a forty-five day extension of the time for filing the initial brief of appellant and designation of matter. Undersigned counsel further respectfully requests that the deadline for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

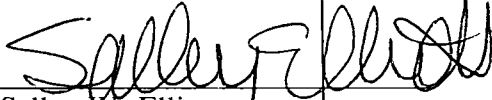
By:  _____

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Attorneys for Appellant

I CONSENT:



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Attorney for Respondent

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JAMES LAMONT MOORE, Appellant.

CERTIFICATE OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

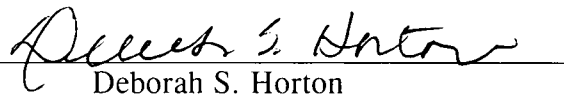
Pleadings:

PETITION FOR EXTENSION TO FILE INITIAL
BRIEF OF APPELLANT AND DESIGNATION OF
MATTER

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Deborah S. Horton
Administrative Assistant

November 25 2013

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November 25, 2013

Hand Delivered

The Honorable Jenny Abbott Kitchings
Clerk of Court
S. C. Court of Appeals
1015 Sumter Street
Columbia, SC 29201

RE: Appeal From Charleston County
State of South Carolina v. James Lamont Moore
Appellate Case No. 2012-213734
Our File No.: 38769/01511

Dear Ms. Kitchings:

Enclosed please find the original and seven copies of the Appellant's Request for an Extension of Time, with the Consent of Respondent, in which to file Appellant's brief in the above-captioned matter. We would ask that you file the original and return a clocked-in copy to us via our courier.

All parties have been served with copies of these documents via U. S. Mail.

Very truly yours,



Brandon S. Smith

BSS:dsh

Enclosures

cc: Salley W. Elliott, Esquire
Robert Michael Dudek, Esquire

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