

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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**RECEIVED**  
NOV 22 2013  
SC Court of Appeals

Appeal from Barnwell County  
Honorable Doyet A. Early, III, Circuit Court Judge  
Appellate Case Tracking No. 2013-000748

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The State,

Respondent,

vs.

Eric VanCleave,

Appellant.

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

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

I.

The Initial Brief of Respondent is due to be served and filed today.

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 second extension in the above referenced appeal. Due to 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 several initial briefs, Returns to Petition for Writ of Certiorari, and Petitions for Writ of Certiorari in the last several weeks. In addition,

counsel has participated in three oral arguments this month at this Court and the South Carolina Supreme Court.

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 second extension of time within which to serve and file the Initial Brief of Respondent.

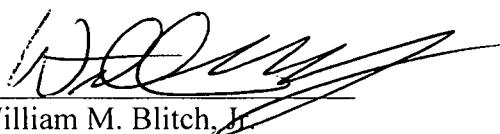
WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the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

Respectfully submitted,

ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Assistant Attorney General

BY:



William M. Blitch, Jr.  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

November 22, 2013

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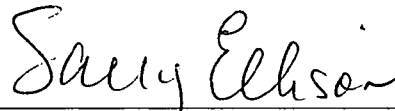
**PROOF OF SERVICE**

I, Sally Ellison, certify that I have served the Motion for Second 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:

Robert T. Williams, Sr. Esquire  
Benjamin A. Stitely, Esquire  
Williams, Hendrix, Steigner & Brink, P.A.  
PO Box 849  
Lexington, SC 29071

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

This 22<sup>nd</sup> day of November, 2013.



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



ALAN WILSON  
ATTORNEY GENERAL

November 22, 2013

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

Re: State v. Eric VanCleave  
Appellate Case Tracking No. 2013-000748

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion for Second 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. Blitch, Jr.  
Assistant Attorney General

Enclosures

cc: Robert T. Williams, Sr., Esquire  
Victim Services

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