

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

DeAndrea G. Benjamin, Circuit Court Judge

Appellate Case No. 2012-212105

State of South Carolina..... Respondent,

v.

Darius Domonic Mack.....Appellant.

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

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SC Court of Appeals

The undersigned counsel respectfully requests a thirty (30) 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 December 2, 2013.
2. The size of the transcript (more than 600 pages) and immediate demands related to the representation of other clients with ongoing litigation requiring the immediate attention of Appellant's counsel necessitate additional time to prepare the initial brief.
3. This request is made in good faith, and not for the purpose of unnecessary delay.

AIB 7th
12/02/13

4. I have spoken with the office of Sally Elliot, counsel for the state, which has no objections to this extension request or does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty (30) day extension. Counsel respectfully requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,



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Attorneys for Appellant
Darius Dominic Mack

November 21, 2013
Greenville, SC

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PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, he served counsel for the Appellants with a copy of Respondents' Motion to Dismiss Appeal by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

Sally Elliott, Esq.
Assistant Attorney General
South Carolina Attorney General's office
P.O. Box 11549
Columbia, SC 29211

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Respectfully submitted,



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November 21, 2013
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November 21, 2013

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

Re: The State of South Carolina v. Darius Domonic Mack
Appellate Case No. 2012-212105

Dear Clerk Kitchings:

Please find enclosed for filing the original and seven copies each of a Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter, together with our Certificate of Service of same. After filing, please return file-stamped copies to the undersigned in the self-addressed, postage paid envelope enclosed for your convenience. In addition, our check in the amount of \$25.00 is enclosed in payment of the filing fee.

By copy of this letter, I am serving a copy of same upon counsel for Respondent, Sally Elliot, Esq.

Please feel free to contact me should you have any questions or concerns.

With kind regards, I am

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.


William C. McKinney

WCM/amp

Enclosure

cc: Sally Elliot, Esq.
Robert M. Dudek, Esq.
Greenville: 2149894 v.1

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