

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 SECOND 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. An extension was granted on December 3, 2013, providing for thirty (30) additional days to complete the brief.
3. Pursuant to the March 18, 2009 order from the Supreme Court of South Carolina, Counsel for Appellant has occasioned extraordinary circumstances during the intervening time

AIB 8th
01/02/14
02/03/14

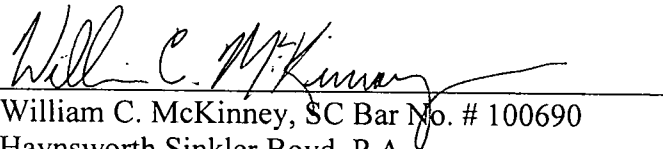
period and requires ten additional days to complete the production of the brief.

4. This request is made in good faith, and not for the purpose of unnecessary delay.

5. 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,



William C. McKinney, SC Bar No. # 100690
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Attorneys for Appellant
Darius Dominic Mack

January 2, 2014
Greenville, SC
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PROOF OF SERVICE

The undersigned hereby certifies that on the date indicated below, he served counsel for the Respondents with a copy of Appellant's Petition for Second Extension to File Initial Brief of Appellant and Designation of Matter by mailing copies of the same by United States Mail with first class postage prepaid to the following address:

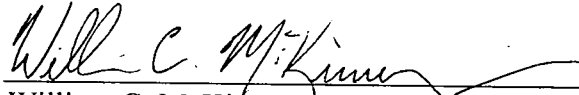
Sally Elliott, Esq.
Assistant Attorney General
South Carolina Attorney General's office
P.O. Box 11549
Columbia, SC 29211

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Respectfully submitted,



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Attorneys for Appellant
Darius Dominic Mack

January 2, 2014
Greenville, SC

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January 2, 2014

VIA U.S. MAIL

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

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

HSB File No. 37676.0001

Dear Clerk Kitchings:

Please find enclosed for filing the original and seven copies each of a Motion for Second 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.

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

Sincerely yours,


William C. McKinney

WCM

cc: Sally Elliot, Esq.
Robert M. Dudek, Esq.

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SC Court of Appeals



First Class Mail

**Haynsworth
Sinkler Boyd, PA**

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The Honorable Jenny Abbot Kitchings
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