

RECEIVED

FEB 18 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County

Thomas L. Hughston, Jr., Circuit Court Judge

STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

GEORGE WHITE,

APPELLANT

Appellate Case No. 2013-000638

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

The undersigned counsel respectfully requests a short extension of time 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 today, February 18, 2014.
2. The initial brief of appellant and designation of matter in this case were originally due to be served and filed on Monday, December 2, 2013. Undersigned counsel requested, and was granted, two additional extensions of time in order to assist a client with a significant administrative hearing that began on October 21, 2013 and is still continuing.

AIB 5th

3. Undersigned counsel has diligently been researching and drafting the initial brief of appellant and designation of matter. However, the school and office closings necessitated by the winter storm affecting the Columbia area over February 11, 12, 13 and 14, 2014 caused significant interruption to these efforts.

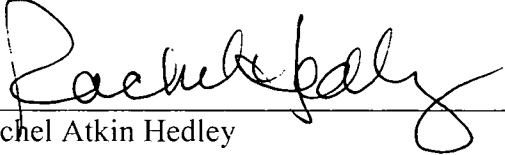
4. Therefore, undersigned counsel requests a brief additional extension until next Friday, February 28, 2014, to submit the initial brief of appellant and designation of matter in this case. This request is made in good faith, and not for purposes of delay. Prior to the winter storm, undersigned counsel did not anticipate needing additional time. This request is made on the same day as the initial brief and designation of matter are due because the courts were closed on February 12, 13, 14 due to the unexpected weather, and on February 17 for Presidents' Day.

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

WHEREFORE, the undersigned counsel would respectfully request a short extension of the time for filing the initial brief of appellant and designation of matter until next Friday, February 28, 2014. 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: 

Rachel Atkin Hedley
S.C. Bar No. 16941
E-Mail: rachel.hedley@nelsonmullins.com
Meridian, 17th Floor
1320 Main Street
Post Office Box 11070 (29211)
Columbia, SC 29201
(803) 799-2000

SOUTH CAROLINA COMMISSION ON INDIGENT
DEFENSE

Robert Michael Dudek
Chief Appellate Defender
South Carolina Commission on Indigent Defense
Appellate Division
1330 Lady Street, Suite 401
Post Office Box 11589
Columbia, SC 29201-1589
(803) 734-1330

Attorneys for Appellant

February 18, 2014

I CONSENT:



Sallee W. Elliott
State of South Carolina, Office of the Attorney General
1000 Assembly Street, Room 519
Columbia, SC 29201

Attorney for Respondent

RECEIVED

FEB 18 2014

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

GEORGE WHITE,

APPELLANT

Appellate Case No. 2013-000638

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):

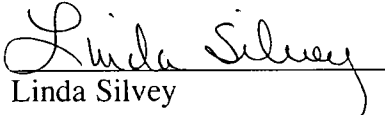
Pleadings:

Petition for Extension to File Initial Brief of Appellant and
Designation of Matter

Counsel Served:

Salley W. Elliott, Esquire
State of South Carolina, Office of
the Attorney General
1000 Assembly Street, Room 519
Columbia, SC 29201

George White
SCDC ID: 354797
Perry Correctional Institution
430 Oaklawn Road
Pelzer, SC 29669


Linda Silvey
Administrative Assistant

February 18, 2014

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
1320 Main Street / 17th Floor / Columbia, SC 29201
Tel: 803.799.2000 Fax: 803.256.7500
www.nelsonmullins.com

RECEIVED

FEB 18 2014

SC Court of Appeals

Rachel Atkin Hedley
(Admitted in SC & NY)
Tel: 803.799.2000
rachel.hedley@nelsonmullins.com

February 18, 2014

Via Hand Delivery

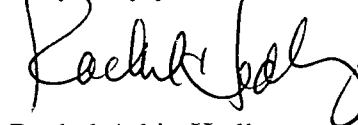
The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, SC 29201

RE: The State v. George White
Appellate Case No. 2013-000638
Our File No. 38769/01517

Dear Ms. Kitchings:

Please find attached an original and seven copies of Petition for Extension to File Initial Brief of Appellant and Designation of Matter in the above-referenced matter along with a certificate of service. Please file the original and six copies and return a clocked-in copy to us via our courier.

Very truly yours,



Rachel Atkin Hedley

RAH:ljs

Attachments

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

AIB