

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
John C. Hayes, III, Circuit Court Judge

Appellate Case No. 2013-000657

THE STATE,RESPONDENT

v.

CLAYTON L. MASSEY,APPELLANT.

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FEB 20 2014

MOTION FOR EXTENSION OF TIME

SC Court of Appeals

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

I.

The Initial Brief of Respondent and Designation of Matter are due to the Court today, pursuant to two previous extensions granted by the Court.

II.

Due to the need for exhibits yet to be transported, severe winter weather, and work required in other cases pending before this and other courts, including petitions for rehearing in Wilds v. State and Gerald Smith v. State, the return to petition for writ of certiorari in State v. Husted, and near completion of the Brief of Respondent in Murray v.

State, I am unable to complete this Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

III.

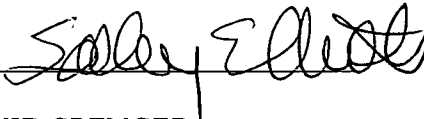
This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.


Respectfully submitted,

ALAN WILSON
Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

BY: 

DAVID SPENCER
Senior Assistant Attorney General

BY: 
Dave Spencer
S. C. Bar No: 68571

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

February 20, 2014

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PROOF OF SERVICE

I, Norma Bigbee, certify that I have served the Motion for Extension of Time on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record, Lara M.Caudy, Esquire, South Carolina Commission of Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, South Carolina 29211.

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

This 20th day of February, 2014.


NORMA BIGBEE
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

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SC Court of Appeals



ALAN WILSON
ATTORNEY GENERAL

February 20, 2014

VIA HAND DELIVERY

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

RE: State v. Clayton L. Massey
Appellate Case No: 2013-000657

Dear Ms. Kitchings:

Please find the original of the Motion For Extension of Time along with proof of service, in the above-referenced case. By copy of this letter we are serving opposing counsel with this motion.

Sincerely,

David Spencer
Senior Assistant Attorney General
S.C. Bar No: 68571

DS/ab
Enclosures

cc: Lara M. Caudy, Esquire (2 copies enclosed)
Ms. Trisha Allen (1 copy enclosed)

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SC Court of Appeals