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APR 07 2014

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of General Sessions
The Honorable J. Derham Cole, Circuit Court Judge

Case No. 2011-GS-42-3015, 2011-GS-42-3016

The State, Respondent,

v.

Michael Anderson Manigan Appellant.

MOTION TO EXTEND THE TIME IN WHICH TO FILE AND SERVE AN INITIAL REPLY
BRIEF AND REPLY DESIGNATION OF MATTER BY APPELLANT MICHAEL
ANDERSON MANIGAN

Pursuant to Rule 263(b), SCACR, and Re: Extension Requests in Criminal Director Appeals and Post-Conviction Relief Certiorari Proceedings, 2009-OR-03-18-01 (S.C. Sup. Ct. dated March 18, 2009) (hereinafter cited as the "Extension Request Order"), Appellant Michael Anderson Manigan ("Appellant") hereby respectfully moves this Court to extend the time in which to file and serve Appellant's initial reply brief and designation of matter by ten (10) days.

The Extension Request Order provides, in pertinent part:

- (1) One extension of up to thirty (30) days each may be granted for any stage of the appellate proceeding without a showing of good cause.
- (2) A second extension request may be granted upon a showing of good cause. The facts supporting good cause shall be set forth in the motion. The signature of the attorney on the motion shall be a certification that the attorney believes that the extension is warranted and that there is good cause to seek the extension.

.....

(5) Counsel are expected to minimize extension requests, and **multiple extensions should generally be sought only for a stage of the appellate proceeding which involves research or writing by the attorney, such as the preparation of a brief** or the preparation of the petition for a writ of certiorari, return or reply in a PCR case.

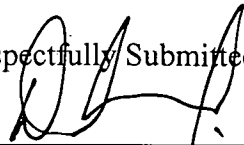
(Emphasis added).

Appellant's reply brief and designation of matter are currently due on April 3, 2014. With the extension, Appellant's reply brief and designation of matter would be due on April 14, 2014 because April 13, 2014 is a Sunday. Appellant's counsel has previously been granted a ten (10) day extension of this deadline. Although this is a second extension request, the deadline involves the preparation of an initial brief.

Further, Appellant's undersigned counsel hereby certifies that this motion is made upon good cause, in that, over the past week, Appellant's counsel had to provide immediate attention to several time-sensitive business or similar transactions for clients which were unanticipated at the time. If these transactions had been anticipated, Appellant's counsel would have asked for additional time to serve and file a reply brief in accordance with section (1) of the Extension Request Order, permitting an extension of up to thirty (30) days without a showing of good cause.

These transactional matters have not provided Appellant's counsel with sufficient time to fully review the case law cited in respondent's initial brief or other cases addressing or relating to the issues described in such case law. Appellant's counsel requires the additional time to fully review such case law in an effort to effectively reply to respondent's initial brief.

Respectfully Submitted,



Daniel S. "Chip" McQueeney, Jr. (S.C. Bar No. 06802)
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Attorneys for Appellant Michael Anderson Manigan

April 3, 2014
Charleston, South Carolina

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v.

Michael Anderson Manigan.....Appellant.

PROOF OF SERVICE

I certify that I have served the **Motion to Extend the Time in Which to File and Serve an Initial Reply Brief and Reply Designation of Matter by Appellant Michael Anderson Manigan** on Respondent The State of South Carolina, by depositing a copy in the United States Mail, postage prepaid, on April 3, 2014, addressed to its counsel of record, Julie Kate Keeney, Assistant Attorney General, at Post Office Box 11549, Columbia, SC 29211-1549 and to Robert M. Dudek, S.C. Commission on Indigent Defense, Division of Appellate Defense, Post Office Box 11589, Columbia, SC 29211-1549.



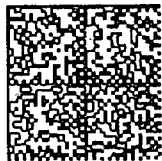
Daniel S. "Chip" McQueeney, Jr.
Attorney for Appellant Michael Anderson Manigan

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
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South Carolina Court of Appeals
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