

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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APR 25 2014

S.C. Supreme Court

Appeal from Charleston County
Honorable Roger M. Young, Circuit Court Judge
Appellate Case Tracking No. 2012-212981

The State,

Petitioner,

vs.

Bryant Kinloch,

Respondent.

**MOTION TO FILE BRIEF OF PETITIONER
AND APPENDIX OUT OF TIME**

Petitioner would respectfully show unto this Court as follows:

The Brief of Petitioner and Appendix were due to be served and filed April 21, 2014. The due date was improperly calendared, and the documents were not timely submitted. The undersigned is currently out of the office for medical reasons, and respectfully moves for an extension of time to April 30, 2014, to serve and file the documents. No prior extensions have been requested.

This extension request is not intended for purposes of delay, but rather to ensure the Brief of Petitioner and Appendix are properly prepared. The undersigned consulted with opposing counsel regarding this Motion and is authorized to advise the Court she consents to the requested relief.

WHEREFORE, Petitioner requests that the Court accept this Motion out of time, hold this matter in abeyance until ruling on this motion, and extend the deadline for the

service and filing of the Brief of Petitioner in this case to April 30, 2014; and for such other and further relief as the Court may deem just and proper.


Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General

By:

for


WILLIAM M. BLITCH, JR.

Assistant Attorney General

S.C. Bar No. 15608

Office of the Attorney General

Post Office Box 11549

Columbia, SC 29211

(803) 734-3727

ATTORNEYS FOR RESPONDENT

April 25, 2014

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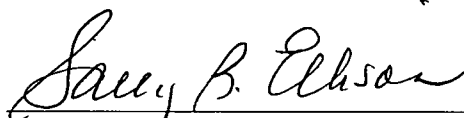
PROOF OF SERVICE

I, Sally B. Ellison, certify I served the Motion to File Brief of Petitioner and Appendix Out of Time on Respondent by depositing a copy in the United States mail, postage prepaid, addressed to:

Kathrine H. Hudgins
Assistant Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

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

This 25th day of April, 2014.



SALLY B. ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



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S.C. Supreme Court

ALAN WILSON
ATTORNEY GENERAL

April 25, 2014

VIA HAND DELIVERY

The Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
1231 Gervais Street
Columbia, South Carolina 29201

Re: State v. Bryant Kinloch
Appellate Case Tracking No. 2012-212981

Dear Mr. Shearouse:

Enclosed for filing are the original and seven (7) copies of a Motion to File the Brief of Petitioner and Appendix Out of Time, with proof of service, in the above referenced appeal. Please put the extra clocked-in copy in the Attorney General's Office box for pick-up.

Sincerely,

for William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: Kathrine H. Hudgins, Assistant Appellate Defender