

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Aiken County  
Honorable J. Derham Cole, Circuit Court Judge  
Appellate Case No. 2013-001354

RECEIVED  
APR 23 2014  
SC Court of Appeals

THE STATE,

Respondent,

vs.

TYRIK GERARD BRIGHT,

Appellant.

**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH  
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on April 23, 2014.

**II.**

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the State moves for a third extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. In the past few weeks, the undersigned has participated in oral argument at the Supreme Court in In re Stephen W. and In re

RIB 3rd

Kevin R., has participated in oral argument at the Court of Appeals in State v. Christopher Lee Johnson, State v. Alex Lorenzo Robinson, State v. Jimmy Wilson, Jr., State v. Kendrick D. Littlejohn, State v. Mark Stanley Peters, and State v. Randy Jarrod Crosby, has submitted Briefs of Respondent to the Supreme Court in State v. Salley and State v. Morris, has submitted an Initial Brief of Appellant to the Court of Appeals in State v. Bash, has submitted Initial Briefs of Respondent to the Court of Appeals in State v. Branyon and State v. Slocumb, has submitted a Return to Petition for Rehearing to the Court of Appeals in State v. Reaves, and has submitted Returns to Petitions for Writ of Certiorari to the Supreme Court in State v. Parker and State v. Hilton.

### III.

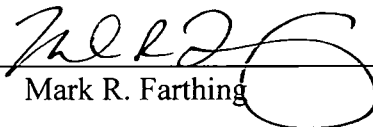
This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared. The Brief in the above case has required significant research because the case involves two significant evidentiary issues on appeal. The undersigned is currently working on the Brief in this case and hopes to have it completed in a timely manner. I would therefore request an extension of time within which to serve and file the Brief.

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

Respectfully submitted,

ALAN WILSON  
Attorney General

MARK R. FARTHING  
Assistant Attorney General

By:   
Mark R. Farthing

By:   
Salley W. Elliott

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

April 23, 2014

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Appellant.

**PROOF OF SERVICE**

I, Ellen R. DuBois, certify that I have served the within Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to:

Wanda H. Carter, Esquire  
S.C. Commission on Indigent Defense  
Division of Appellate Defense  
Post Office Box 11589  
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.  
This 23rd day of April, 2014.

*Ellen R. DuBois*

ELLEN R. DuBOIS  
Legal Assistant

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



ALAN WILSON  
ATTORNEY GENERAL

April 23, 2014

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

RE: State v. Tyrik Gerard Bright – Appellate Case No. 2013-001354

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter, along with proof of service, for filing in the above-referenced appeal.

Sincerely,

Mark R. Farthing  
Assistant Attorney General  
Bar Number 76901

MRF/  
Enclosures

cc: Wanda H. Carter, Esquire  
Victim Services

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