

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APR 29 2014

SC Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of General Sessions

Rivers Lawton McIntosh, Circuit Court Judge

Appellate Case No.: 2013-001895

State of South Carolina Respondent

v.

James Richard Bartee, Jr. Appellant

**SECOND MOTION FOR EXTENSION
TO FILE THE REPLY TO THE RESPONDENT'S
RETURN TO THE APPELLANT'S MOTION FOR APPEAL BOND**

COMES NOW, Jack B. Swerling, attorney for the Appellant, requesting an extension in which to file the Reply to the Respondent's Return to the Appellant's Motion for Appeal Bond.

Counsel previously requested a ten (10) day extension because the transcript was expected to be delivered by March 20, 2014; however, the court reporter was granted an additional thirty (30) day extension. Counsel then requested a thirty (30) day extension until April 30, 2014. (*Order, dated April 3, 2014*). Counsel received the remainder of the transcript on April 21, 2014. The transcript consisted of four

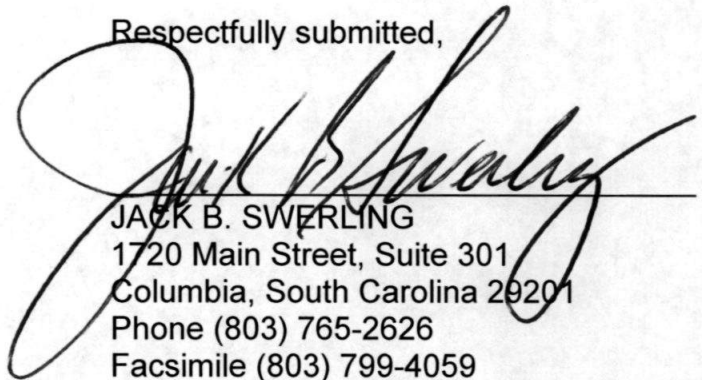
(4) volumes totaling nine hundred eleven (911) pages. Counsel is in the process of reading the transcripts.

Due to the size of the transcript, counsel would respectfully request a five day (5) extension, until May 5, 2014, to file the Reply to the Respondent's Return to the Appellant's Motion for Appeal Bond, which is currently due on April 30, 2014.

Counsel's paralegal, Kellie A. Switzer, has consulted with Salley W. Elliott, Senior Assistant Deputy Attorney General, and she has no objection and consents to the request by counsel.

WHEREFORE, counsel prays the Court will grant a five (5) day extension, until May 5, 2014, to file the Reply to the Respondent's Return to the Appellant's Motion for Appeal Bond.

Respectfully submitted,

A large, stylized handwritten signature in black ink, which appears to read "Jack B. Swerling". The signature is written over a horizontal line that separates it from the typed name and contact information below.

JACK B. SWERLING
1720 Main Street, Suite 301
Columbia, South Carolina 29201
Phone (803) 765-2626
Facsimile (803) 799-4059
Email: jacklaw@aol.com

Attorney for Appellant

April 29, 2014
Columbia, South Carolina

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PROOF OF SERVICE

I, Kellie A. Switzer, certify that I have served the **Second Motion for Extension to File the Reply to the Respondent's Return to the Appellant's Motion for Appeal Bond** on the following, by depositing a copy of it in the United States Mail, postage prepaid, on April 29, 2014, addressed to:

Salley W. Elliott, Senior Assistant Deputy Attorney General
Office of the South Carolina Attorney General
Post Office Box 11549
Columbia, South Carolina 29211-1549

April 29, 2014



Kellie A. Switzer
Paralegal to Jack B. Swerling
1720 Main Street, Suite 301
Columbia, South Carolina 29201
Phone (803) 765-2626
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*1720 Main Street, Suite 301
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*Telephone 803-765-2626
Fax 803-799-4059*

April 29, 2014

VIA HAND-DELIVERY

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

RE: State of South Carolina v. James Richard Bartee, Jr.
Appellate Case No.: 2013-001895

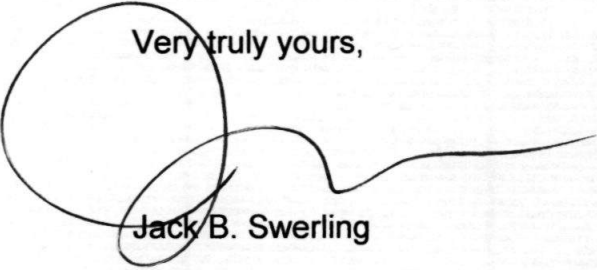
Dear Ms. Kitchings:

Enclosed for filing are the original and six (6) copies of the Second Motion for Extension to File the Reply to the Respondent's Return to the Appellant's Motion for Appeal Bond, along with the Proof of Service, in the above referenced matter.

By copy of this letter, I am serving Salley W. Elliott, Senior Assistant Deputy Attorney General, with a copy of same.

If you have any questions, do not hesitate to contact me.

Very truly yours,


Jack B. Swerling

JBS/kas
Enclosure

cc: Salley W. Elliott, Senior Assistant Deputy Attorney General
James Richard Bartee, Jr. #00356847
Elizabeth Bartee
Kenneth R. Bartee

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