

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM CHEROKEE COUNTY  
Court of General Sessions

Roger L. Couch, Circuit Court Judge

Case No. 2010-GS-11-00607

12059

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APR 30 2014

SC Court of Appeals

The State of South Carolina,..... Respondent,  
v.  
Hayword Tony Chambers,..... Appellant.

**PETITION FOR EXTENSION TO FILE  
INITIAL REPLY BRIEF OF APPELLANT**

The undersigned counsel respectfully requests a ten-day extension in which to file the Initial Reply Brief of Appellant in the above-referenced case. This is the first request for an extension with regard to the Reply Brief. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. This case is part of the Court's pro bono appellate defense project.
2. The Initial Reply Brief of Appellant in this case is currently due to be served and filed on Monday, May 5, 2014.
3. The State has raised multiple arguments not addressed in Appellant's Initial Brief, to which a Reply is warranted.

AIRB 157

4. The undersigned counsel did not receive the State's Initial Brief until April 29, 2014, when four days of the normal ten-day period for a reply brief had already expired.

5. The undersigned counsel is experiencing an exceptionally demanding case load at this time, with multiple out of town trips required during the time period when the Reply brief must be prepared.

6. This request is made in good faith, and not for purposes of delay.

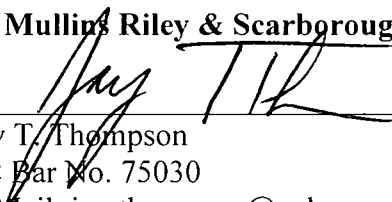
7. This request is made for a ten-day extension, or until May 15, 2014.

8. As indicated by their consent below (electronic signature affixed by counsel for the State), the State has graciously consented to this request.

WHEREFORE, the undersigned counsel would respectfully request a ten-day extension of the time for filing the Initial Reply Brief of Appellant. Undersigned counsel further respectfully requests that the deadline for filing the Initial Reply Brief of Appellant be held in abeyance pending a ruling on this motion.

**Nelson Mullins Riley & Scarborough, LLP**

By: \_\_\_\_\_

  
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ATTORNEYS FOR APPELLANT

Columbia, South Carolina  
April 30, 2014

I CONSENT:

s/David Spencer  
David Spencer  
Senior Assistant Attorney General  
Post Office Box 11549  
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(803) 734-3727

*Attorney for Respondent*  
*Re: State v. Chambers*

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM CHEROKEE COUNTY

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SC Court of Appeals

Case No. 2010-GS-11-00607

The State of South Carolina,..... Respondent,

v.

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**PROOF OF SERVICE**

I certify that I have served the **Appellant's Petition For Extension To File Initial Reply Brief Of Appellant** on The State of South Carolina by depositing a copy of it in the United States Mail, postage prepaid, on April 30, 2014, addressed to its attorneys of record, David Spencer, Senior Assistant Attorney General, P.O. Box 11549, Columbia, S.C. 29211.

<< Signature on Next Page >>

Respectfully submitted,

**Nelson Mullins Riley & Scarborough, LLP**

By: 

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April 30, 2014

# Nelson Mullins

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April 30, 2014

Via Hand Delivery

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

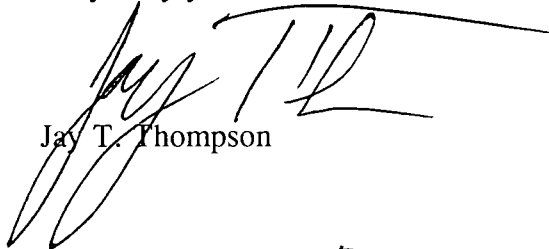
RE: Appeal From Cherokee County  
The State, Respondent v. Hayword Tony Chambers, Appellant  
Case No. 2012-213554  
Our File No. 38769/01519

Dear Ms. Kitchings:

Enclosed for filing in the above referenced matter please find the original and six copies of a Petition For Extension To File Initial Reply Brief Of Appellant.

The required filing fee and certificate of service are also enclosed.

Very truly yours,



Jay T. Thompson

JTT:coc

Enclosures

cc: David Spencer, Esquire

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APR 30 2014

**SC Court of Appeals**