

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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MAY 28 2014  
SC Court of Appeals

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APPEAL FROM BEAUFORT COUNTY  
Court of General Sessions

The Honorable Diane S. Goodstein, Circuit Court Judge

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Appellate Case No. 2012-213026

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The State.....Respondent,  
v.  
Jabari Linnen .....Appellant.

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**MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S REPLY BRIEF**

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Pursuant to Rules 240 and 263(b), SCACR, Appellant Jabari Linnen, by and through the undersigned counsel, respectfully requests a 30-day extension of time in which to file his Reply Brief. Scheduling difficulties since the filing of the Respondent's Initial Brief, including depositions and motion preparation in a federal case with a pending discovery deadline, have left counsel without adequate time to prepare the Reply Brief prior to the expiration of the abbreviated ten-day deadline set forth in Rule 208(a)(3).

The current deadline for filing the Initial Brief and Designation of Matter for the Record on Appeal is Friday, May 30, 2014 and has not previously been extended. Appellant respectfully requests a 30-day extension of time so that the new deadline will

be Monday, June 30, 2014. Counsel for Appellant will file the Reply Brief in advance of the deadline to the extent possible.

The undersigned counsel for Appellant certifies that he contacted Salley Elliot, Assistant Attorney General, regarding the contents of this Motion and was informed that Respondent consents to the same.

May 28, 2014

  
James A. Byars S.C. Bar #79055  
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Chief Appellate Defender  
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PO Box 11589  
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803.734.1330

Counsel for Appellant Jabari Linnen

Other Counsel of Record:

J. Benjamin Aplin  
Assistant Attorney General  
South Carolina Attorney General's Office  
1000 Assembly Street  
Columbia, SC 29201

Counsel for Respondent

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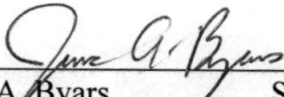
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**PROOF OF SERVICE**

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I hereby certify that I have served the foregoing Motion for Extension of Time to File Appellant's Initial Brief and Designation of Matter for the Record on Appeal on the Respondent by hand-delivering a copy of the same on May 28, 2014, addressed to J. Benjamin Aplin, Assistant Attorney General, at Rembert Dennis Building, 1000 Assembly Street, Columbia, South Carolina 29201.

May 28, 2014

  
James A. Byars S.C. Bar #79055  
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Counsel for Appellant Jabari Linnen

James A. Byars  
Associate

May 28, 2014

**VIA HAND DELIVERY**

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

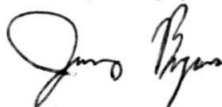
Re: *The State v. Jabari Linnen*  
Appellate Case No. 2012-213026

Dear Ms. Kitchings:

On behalf of Appellant Jabari Linnen, please find enclosed an original and eight (8) copies of a Motion for Extension to File Appellant's Reply Brief.

Please return two clocked-in copies of the Motion to our courier. Thank you.

Very truly yours,



Jimmy Byars

JAB/jab  
Enclosure

cc: Robert Michael Dudek  
J. Benjamin Aplin, Assistant Attorney General

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MAY 28 2014

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