

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from York County
Honorable John C. Hayes, III, Circuit Court Judge
Appellate Case Tracking No. 2014-000280

The State,

Appellant,

vs.

William Russell Patterson,

Respondent.

**MOTION FOR THIRD EXTENSION
TO SERVE AND FILE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER**

Appellant, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Appellant and Designation of Matter are due to be served and filed June 4, 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 Respondent moves for a third extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Brief on time. The undersigned has completed several initial briefs in State v. Anderson and State v.

Williams, Petition for Rehearing in State v. Manning, a Brief of Respondent in State v. Wright, Return to Petition for Writ of Certiorari in State v. Tyairy G., and a Return to the Petition for Rehearing in State v. Manning. In addition, counsel has participated in oral arguments at this Court in State v. Tyner and the South Carolina Supreme Court in State v. Odom. Also, to the extent necessary extraordinary circumstances exist because the South Carolina Supreme Court issued today an opinion in State v. Sawyer, which may have a bearing on the outcome of this appeal, and the undersigned needs the extension to be able to read and understand the case's impact on the underlying appeal.

III.

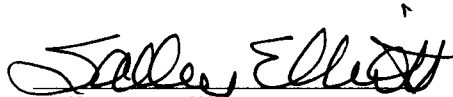
This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would therefore request a third extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter.

WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Appellant 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.

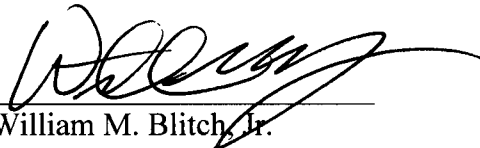
Respectfully submitted,

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ATTORNEYS FOR APPELLANT

June 4, 2014

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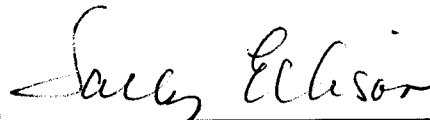
PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion for Third Extension to Serve and File Initial Brief of Appellant and Designation of Matter on Respondent by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Christopher A. Wellborn, Esquire
142 Oakland Avenue, Suite C
Rock Hill, South Carolina 29730

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

This 4th day of June, 2014.



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