

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of General Sessions
Carmen T. Mullen, Circuit Court Judge

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JUL 09 2014

The State,

vs.

Respondent,

SC Court of Appeals

Jerry Scantling,

Appellant.

Appellate Case No.: 2013-000488

**MOTION TO FILE EXTENSION REQUEST OUT OF TIME
AND REQUEST FOR A FIRST EXTENSION OF THIRTY DAYS IN WHICH
TO FILE THE INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

Respondent, the State, moves this Court to accept a first extension request out of time and grant an extension of thirty (30) days in which to file the initial brief of respondent and designation of matter. In support of the request, undersigned counsel would respectfully show the Court:

1. The Initial Brief of Appellant with Designation of Matter was served on May 21, 2014. Respondent's initial brief was due to be served forty-five (45) days later, on Monday, July 7, 2014. However, the date for filing was inadvertently overlooked and not properly calendared. Respondent has today, Wednesday, July 9, 2014, discovered the error and files this motion for the Court to accept an extension request out of time.
2. Respondent respectfully requests a first extension of thirty (30) days.
3. Undersigned counsel has consulted with opposing counsel, Appellate Defender David Alexander, who has advised that he has no objection to either allowing the motion to file

the extension request out of time or the extension of thirty (30) days.

WHEREFORE, undersigned counsel for Respondent respectfully requests this Court allow the motion to file an extension request out of time and grant a first extension of thirty (30) days in which to file the initial brief of respondent and designation of matter.

Respectfully submitted,

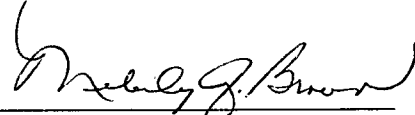
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Attorney General

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MELODY J. BROWN
Senior Assistant Attorney General

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BY: 
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July 9, 2014.
Columbia, South Carolina.

ATTORNEYS FOR RESPONDENT

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SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BEAUFORT COUNTY
Court of General Sessions.
Carmen T. Mullen, Circuit Court Judge

The State, vs. Respondent,

Jerry Scantling, Appellant.

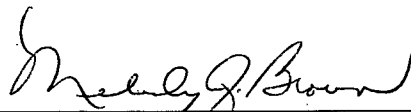
Appellate Case No.: 2013-000488

CERTIFICATE OF SERVICE

I, Melody J. Brown, certify that I have served Respondent's *Motion to File Extension Request Out of Time and Request for A First Extension of Thirty Days in Which to File the Initial Brief of Respondent and Designation of Matter* on appellant, by depositing one copy of same in the United States mail, postage prepaid, to his counsel of record, addressed as follows:

David Alexander, Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellant Defense
PO Box 11589
Columbia, SC 29211

This 9th day of July, 2014.


MELODY J. BROWN
Senior Assistant Attorney General
S.C. Bar No.: 14244
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ATTORNEY FOR RESPONDENT



ALAN WILSON
ATTORNEY GENERAL

July 9, 2014

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SC Court of Appeals

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

Re: State v. Jerry Scantling
Appellate Case No. 2013-000488

Dear Ms. Kitchings:

Please find enclosed for filing with the Court Respondent's *Motion to File Extension Request Out of Time and Request for a First Extension of Thirty Days in Which to File the Initial Brief of Respondent and Designation of Matter* in the above referenced appeal.

Sincerely,

Melody J. Brown
Senior Assistant Attorney General

MJB/lbb

cc: David Alexander, Appellate Defender