

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**  
JUL 10 2014  
**SC Court of Appeals**

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APPEAL FROM LEXINGTON COUNTY  
J. Michael Baxley, Circuit Court Judge

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Indictment Nos.      2011-GS-32-0242  
                                 2011-GS-32-0243  
                                 2011-GS-32-0244

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EX PARTE:

South Carolina Department of Disabilities  
and Special Needs, ..... Appellant.

IN RE:

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

v.

Rocky A. Linkhorn, ..... Respondent.

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RESPONDENT STATE OF SOUTH CAROLINA'S MOTION FOR EXTENSION OF  
TIME AND TO HOLD DEADLINES IN ABEYANCE

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Pursuant to Rule 263 (b), SCACR, the Respondent State of South Carolina hereby  
moves for a 30 day extension of time to file its initial brief and designation of matter for the  
record and moves to hold deadlines in abeyance pending a decision regarding the extension  
motion. Respondent State of South Carolina notes the following:

1. The current deadline for filing the brief and designation is July 23, 2014, pursuant to this Court's Order filed June 19, 2014, which granted a previous extension request. Under this proposed extension, the brief and designation will be due August 22, 2014.
2. This request is made for good cause. The legal issues in this matter are complex and more time is needed for researching and writing the brief.
3. Counsel for Appellant consents to this extension. *See* attached email.
4. Respondent State of South Carolina asks that this Court hold deadlines in abeyance until an order is issued regarding this Motion.

A separate supporting memorandum is not filed with this Motion because the grounds for the Motion are set forth in the Motion.

For the foregoing reasons, Respondent State of South Carolina respectfully requests requests that its extension request be granted.

Respectfully submitted,

ALAN WILSON  
Attorney General

J. EMORY SMITH, JR.  
Assistant Deputy Attorney General

T. PARKIN HUNTER  
Assistant Attorney General

Office of the Attorney General  
SC Bar No. 2827  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6151

July 10, 2014

By:   
ATTORNEYS FOR RESPONDENTS

## Parkin Hunter

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**From:** Andrew Lindemann <alindemann@dml-law.com>  
**Sent:** Thursday, July 10, 2014 1:22 PM  
**To:** Parkin Hunter; William H. Davidson II  
**Subject:** RE: Linkhorn Appeal

No objection.

Andrew

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**From:** Parkin Hunter [<mailto:phunter@scag.gov>]  
**Sent:** Thursday, July 10, 2014 9:03 AM  
**To:** Andrew Lindemann; William H. Davidson II  
**Subject:** Linkhorn Appeal

Mr. Andrew F. Lindemann  
Mr. William H. Davidson  
Davidson & Lindemann, PA  
PO Box 8568  
Columbia, SC 29202-8568

Gentleman:

I am asking you to consent to my requesting a second thirty day extension in In Re: State of South Carolina v. Rocky A. Linkhorn, Appellate Case Number: 2013-002208. A second thirty day extension will make the State of South Carolina's brief due August 22, 2014.

Thank you for your consideration in this matter.

Parkin

T. Parkin Hunter  
Assistant Attorney General  
Office of the South Carolina Attorney General  
(803)734-6151

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the Respondent State of South Carolina's Motion for Extension of time and to Hold Deadlines in Abeyance has been served on the counsel for the parties this 10<sup>th</sup> day of July, 2014, by having it placed in the United States mail addressed as follows:

Andrew F. Lindemann, Esquire  
Davidson & Lindemann, P.A.  
Post Office Box 8568  
Columbia, South Carolina 29202-8568


Tana Vanderbilt, Esquire  
General Counsel  
South Carolina Department of Disabilities and Special Needs  
Post Office Box 4706  
Columbia, South Carolina 29240

Rhonda W. Patterson, Esquire  
Eleventh Circuit Solicitor's Office  
205 East Main Street  
Lexington, South Carolina 29072

Elizabeth C. Fullwood, Esquire  
Office of the Public Defender Eleventh Judicial circuit  
407 ½ West Main Street  
Lexington, South Carolina 29072

Monique M. Lee, Esquire  
Office of General Counsel  
South Carolina Department of Mental Health  
Post Office Box 485  
Columbia, South Carolina 29202

William H. Davidson, Esquire  
Davidson & Lindemann, P.A.  
Post Office Box 8568  
Columbia, South Carolina 29202-8568



Brianna Arnone  
Legal Assistant  
Office of the South Carolina Attorney General