

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
Honorable G. Edward Welmaker, Circuit Court Judge
Appellate Case Tracking No. 2013-002307

RECEIVED

AUG 20 2014

SC Court of Appeals

The State,

Appellant,

Vs.

Scott Eugene Williams,

Respondent.

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

Respondent through his undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Appellant is due to be served and filed on August 25, 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.

I seek a third extension due the following circumstances and caseload:

Since my second request for extension I renegotiated a purchase contract on the building in which I intend to relocate my practice. As part of those negotiations I have had the responsibility of obtaining estimates for repairs and supervising the parties performing the repairs. I have had to manage replacement of the rear steps, replacement of the plumbing, replacing stolen wiring and the installation of a new HVAC system, as well coordinate with AT&T and IT professionals to facilitate a transfer of telephone and internet services to this new location. The closing is scheduled for Wednesday August 20, 2014 and telephone and internet service transfer is scheduled for Thursday, August 21, 2014. At this time it is unclear if these transfers will go smoothly. I have expended significantly more time and effort in accomplishing this move than I had previously anticipated due to the extensive repairs required before closing.

In addition to the time spent trying to prepare the building for closing I have continued to fulfill my professional obligations to my other clients. Since my second request for extension, I have prepared, appeared for and successfully negotiated, tried and/or resolved temporarily:

1. Eight Magistrate and Municipal Court cases scheduled for trial; State v. Holcombe (Cruelty to Animals), State v. McCauley (Purchase of Non-ferrous Metals without Permit), State v. Fredericks (Reckless Driving), State v. Hill (Criminal Domestic Violence), State v. Thompson (Driving Under the Influence), State v. McCall (Shoplifting), State v. Tate (Driving Under the Influence), State v. Collins (Driving Under the Influence).
2. One Family Court Contempt hearing (Fredrickson v. Schulze).
3. One DSS Child neglect case.

4. One Implied Consent hearing.
5. One Federal Sentencing Hearing (US v Wellwood).
6. Mediation of custody and support in Family Court.
7. Appeared in General Sessions Court on two different dates for three different clients, one of whom had approximately six pending warrants involving 3 separate incident dates.

I also had the pleasure of joining my wife and stepdaughter for move in day at USC August 13, 2014. I did not foresee at the time of my second extension request the extent to which changing locations after almost 11 years, combined with my current caseload, would hamper my ability to complete Respondent's Initial Reply Brief by August 25, 2014.

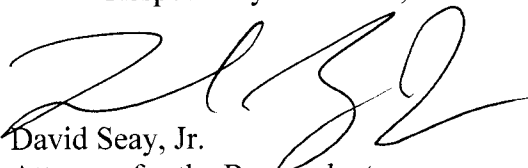
III.

This third extension requested is not intended for the purposes of delay, but rather to ensure the Respondent's Brief is researched and written in a manner that properly serves my client's interests in this matter. I would therefore request a third extension of time within which to serve and file the Initial Reply Brief of Respondent.

WHEREFORE, the Respondent prays that the Court hold this matter in abeyance until ruling on this motion and extend the deadline for the filing and service of the Initial Brief of Appellant in this case for 30 days from the date such relief is granted. And for such other and further relief as the Court may deem just and proper.

August 19, 2014

Respectfully submitted,


David Seay, Jr.
Attorney for the Respondent

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Greenville County
Honorable G. Edward Welmaker, Circuit Court Judge
Appellate Case Tracking No. 2013-002307

The State,

Appellant,

Vs.

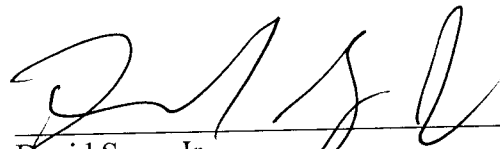
Scott Eugene Williams,

Respondent.

I, the undersigned attorney for the Respondent, do hereby certify the following:

1. That I am David Seay, Jr. of David Seay, Jr., LLC, and I am the attorney for the Respondent in the above captioned matter, and my mailing address is PO Box 8699, Greenville, SC 29604.
2. That I served the Motion for Third Extension to Serve and File Initial Brief of Respondent on the Appellant, by depositing a copy of the same in the United States mail on August 19, 2014, postage prepaid and addressed to:

Alan Wilson, Attorney General
William M. Blich, Jr., Asst. Attorney General
Post Office Box 11549
Columbia, South Carolina 29211



David Seay, Jr.
Attorney for the Respondent
SC Bar #6964
PO Box 8699
Greenville, SC 29604

August 19, 2014

August 19, 2014

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

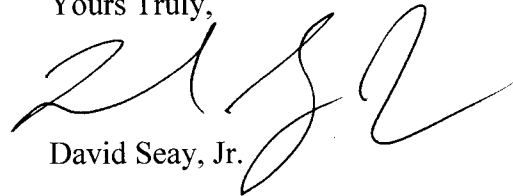
Re: State v. Scott E. Williams
Civil Action No. 2013-CP-23-02731
Appellate Case No. 2013-002307

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion for Third Extension to File and Serve Initial Brief of Respondent.

I would ask that filing deadlines be held in abeyance while this request is pending. Thank you for your consideration of this request.

Yours Truly,

A handwritten signature in black ink, appearing to read 'D. Seay, Jr.', written in a cursive style.

David Seay, Jr.

GDS/sbd

cc: Alan Wilson, Attorney General
William M. Blich, Jr., Assistant Attorney General
W. Walter Wilkins, III, Solicitor, Thirteenth Judicial Circuit

RECEIVED

AUG 20 2014

SC Court of Appeals

Alan Wilson, Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211-1549

William M. Blich, Jr., Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211-1549

Solicitor W. Walter Wilkins, III
Thirteenth Judicial Circuit Solicitor's Office
Greenville County Courthouse
305 East North Street Suite 325
Greenville, South Carolina 29601

ont IYVEK
t What's Inside™

Immediately upon receipt, please telephone:
The sender has requested this service.

NAME: ()
Tel. No.: ()

PLEASE PRESS FIRMLY



Mailing Envelope
For Domestic and International Use



EXTREMELY URGENT

Please Rush To Addressee

RECEIVED
AUG 24 2007
SC Court of Appeals

Visit us at usps.com

RECEIVED
AUG 26 2007
SC Court of Appeals



fic
ne
04
16
14

FIRMLY TO MAKE ALL COPIES LEGIBLE.

CUSTOMER USE ONLY

PHONE ()

FROM: (PLEASE PRINT)

PAYMENT BY ACCOUNT (if applicable)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

Delivery Options

No Saturday Delivery (delivered next business day)

Sunday/Holiday Delivery Required (additional fee, where available*)

10:30 AM Delivery Required (additional fee, where available*)

*Refer to USPS.com® or local Post Office™ for availability.

PHONE ()

TO: (PLEASE PRINT)



ORIGIN (POSTAL SERVICE USE ONLY)

1-Day 2-Day Military DPO

PO ZIP Code	Scheduled Delivery Date (MM/DD/YY)	Postage	
		\$	
Date Accepted (MM/DD/YY)	Scheduled Delivery Time <input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input type="checkbox"/> 12 NOON	Insurance Fee	COD Fee
		\$	\$
Time Accepted <input type="checkbox"/> AM <input type="checkbox"/> PM	10:30 AM Delivery Fee	Return Receipt Fee	Live Animal Transportation Fee
	\$	\$	\$
Weight lbs. ozs.	Sunday/Holiday Premium Fee	Total Postage & Fees	
	\$	\$	
	Acceptance Employee Initials	\$	