

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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SEP 10 2014

Appeal from Charleston County
Honorable Kristi Lea Harrington, Circuit Court Judge
Appellate Case No. 2013-001035

SC Court of Appeals

THE STATE,

Respondent,

vs.

SHAWN J. BURRIS,

Appellant.

MOTION TO FILE INITIAL BRIEF OF RESPONDENT
OUT OF TIME AND FOR A 30-DAY EXTENSION

Respondent State of South Carolina, hereby moves to file the Initial Brief of Respondent and Designation of Matter in the above-captioned appeal out of time, and requests a thirty-day extension within which to file these documents. The basis for Respondent's Motion is set forth below:

After one extension, the Initial Brief of Respondent and Designation of Matter were due on September 8, 2014. Due to a calendaring error, however, the undersigned failed to file the documents by that date. Counsel requests a second thirty-day extension to adequately prepare and file the documents out of time.

The undersigned consulted with opposing counsel regarding this Motion and is authorized to advise the Court opposing counsel consents to the requested relief

Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

BY: Deborah R.J. Shupe
DEBORAH R.J. SHUPE

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

September 10, 2014

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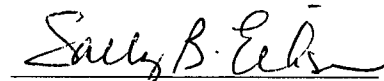
PROOF OF SERVICE

I, Sally B. Ellison, certify I served Respondent's Motion to File Initial Brief of Respondent Out of Time and for a Thirty-Day Extension, on Appellant by depositing a copy in the United States mail, postage prepaid, addressed to:

LaNelle Cantey DuRant
Assistant Appellate Defender
South Carolina Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

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

This 10th day of September 2014.



SALLY B. ELLISON
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

September 10, 2014

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SC Court of Appeals

VIA HAND-DELIVERY

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: The State v. Shawn J. Burris
Appellate Case No. 2013-001035

Dear Ms. Kitchings:

Enclosed are an original and six (6) copies of a Motion to Serve and File Initial Brief of Respondent Out of Time and For a 30-Day Extension, along with Proof of Service for filing in the above-referenced matter.

Sincerely,

Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

DRJS/sbe
Enclosures

cc: LaNelle Cantey DuRant, Esquire
Victim Services