

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM CHARLESTON COUNTY

Thomas L. Hughston, Jr., Circuit Court Judge

Case No. 2013-000638

**RECEIVED**

SEP 16 2014

**SC Court of Appeals**

The State of South Carolina,

v.

Respondent,

George White,

Appellant.

MOTION TO FILE INITIAL REPLY BRIEF OF APPELLANT OUTSIDE THE DUE DATE

The undersigned counsel respectfully requests permission to file the Initial Reply Brief of Appellant outside the due date in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

1. The Initial Brief of Respondent was filed on Thursday, July 17, 2014. The Reply Brief of Appellant was due to be filed on Monday, July 28, 2014. Upon motions of Appellant, this Court extended the time to file a Reply Brief of Appellant until Wednesday, August 27, 2014.

2. Undersigned counsel subsequently requested two additional extensions of time, or until Thursday, September 18, 2014, to file the Initial Reply Brief of Appellant. Appellant also requested that the deadline for filing the Initial Reply Brief of Appellant be held in abeyance pending a ruling on the motion for an extension of time.

3. The basis for the requested extensions was that undersigned counsel has been required to miss significant time at work over the past two months, due to events that caused significant family trauma. These extenuating circumstances have required undersigned counsel to obtain extensions on various matters, and undersigned counsel has been working diligently to attend to all such matters.

4. On the morning of September 15, 2014, undersigned counsel received a signed order from the Court of Appeals granting Appellant's Third Request for an Extension of Time. Although the Order was signed on September 11, 2014, it stated both that Appellant's Third Request for An Extension was granted and that the deadline to file a Reply Brief of Appellant was September 8, 2014.

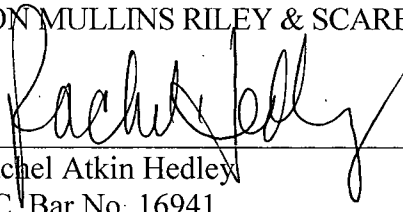
5. Undersigned counsel has not received a ruling from the Court of Appeals on Appellant's Fourth Request for an Extension of Time to file Reply Brief of Appellant. Therefore, in an abundance of caution, undersigned counsel hereby respectfully requests permission to file the Initial Reply Brief of Appellant Outside the Due Date. The Initial Reply Brief of Appellant accompanies this motion.

WHEREFORE, the undersigned counsel respectfully requests permission to file the Initial Reply Brief of Appellant Outside the Due Date.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: \_\_\_\_\_

  
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SOUTH CAROLINA COMMISSION ON INDIGENT  
DEFENSE

Robert Michael Dudek

Chief Appellate Defender

South Carolina Commission on Indigent Defense

Appellate Division

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*Attorneys for Appellant*

September 16, 2014

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**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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STATE OF SOUTH CAROLINA,

RESPONDENT,

V.

GEORGE WHITE,

APPELLANT

Appellate Case No. 2013-000638

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CERTIFICATE OF SERVICE

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I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

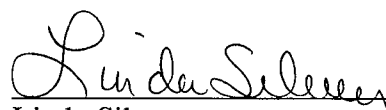
Pleadings:

Initial Reply Brief of Appellant and Motion to File Initial Reply Brief of Appellant Outside the Due Date

Counsel Served:

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State of South Carolina, Office of  
the Attorney General  
1000 Assembly Street, Room 519  
Columbia, SC 29201

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Linda Silvey  
Administrative Assistant

September 16, 2014

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SEP 16 2014

**SC Court of Appeals**

September 16, 2014

## Via Hand Delivery

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
1015 Sumter Street - 5th Floor  
Columbia, SC 29201

RE: The State v. George White  
Appellate Case No. 2013-000638  
Our File No. 38769/01517

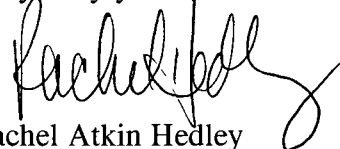
Dear Ms. Kitchings:

Please find enclosed the original and one copy of Initial Reply Brief of Appellant and Motion to File Initial Reply Brief of Appellant Outside the Due Date in the above-referenced matter along with a certificate of service. Please file the original and return a clocked-in copy of each to us via our courier.

By copy of this letter, I am hereby serving a copy of same on counsel of record.

With kind regards, I am

Very truly yours,



Rachel Atkin Hedley

RAH:ljs

Enclosures

cc: Robert Michael Dudek, Esquire  
David Spencer, Esquire  
George White