

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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JAN 30 2015

SC Court of Appeals

Appeal from Berkeley County
Honorable Deadra L. Jefferson, Circuit Court Judge
Appellate Case Tracking No. 2014-000464

The State,

Respondent,

vs.

Christopher W. Berke,

Appellant.

**MOTION TO SERVE AND FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER OUT OF TIME**

Respondent, through its undersigned counsel, would respectfully show as follows:

I.

The Initial Brief of Respondent and Designation of Matter were due to be served and filed January 14, 2015.

II.

Due to medical issues and work required in other pending cases before this Court and the South Carolina Supreme Court, the undersigned was unable to complete this Brief by the deadline. The undersigned has serious medical issues which are debilitating and required significant time out of the office. The undersigned is currently undergoing tests in an attempt to find a diagnosis, which has been elusive. Unfortunately, the undersigned was not able to timely complete the Brief to have it served and filed on January 14, 2015, and asks this Court's permission to serve and file the Brief out of time

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PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion to Serve and File Initial Brief of Respondent and Designation of Matter Out of Time on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

David Alexander, Esquire
South Carolina Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211

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

This 30th day of January, 2015.



SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

January 30, 2015

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HAND-DELIVERY

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

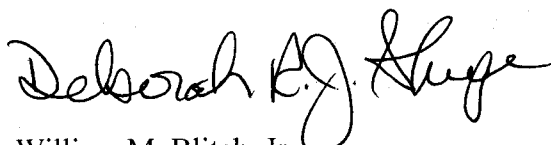
SC Court of Appeals

Re: The State v. Christopher W. Berke
Appellate Case Tracking No. 2014-000464

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion to Serve and File Initial Brief of Respondent and Designation of Matter Out of Time along with proof of service for filing in the above-referenced appeal.

Sincerely,


for William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: David Alexander, Esquire
Victim Services