

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions

J. Michael Baxley, Circuit Court Judge

Appellate Case No. 2014-000395

The State,Respondent,

v.

Damyon Cotton,Appellant,

MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF OF APPELLANT

Other Counsel of Record:

John Woodrow Holt, IV, Esquire
Fourth Circuit Solicitor's Office
1 Public Square, Rm. 410
Darlington, SC 29532

Salley W. Elliott, Esquire
Assistant Attorney General
Rembert Dennis Building, Room 519
1000 Assembly Street
Columbia, SC 29201

Alan McCrory Wilson, Esquire
Rembert Dennis Building, Room 519
1000 Assembly Street
Columbia, SC 29201

Attorneys for Respondent

Lesley A. Firestone
Moore & Van Allen, PLLC
78 Wentworth Street
Charleston, SC 29401
(843) 579-7000

Lara Mary Caudy, Esquire
Robert Michael Dudek, Esquire
Chief Appellate Defender
PO Box 11589
Columbia, SC 29211

Attorneys for Damyon Cotton

RECEIVED

FEB 04 2015

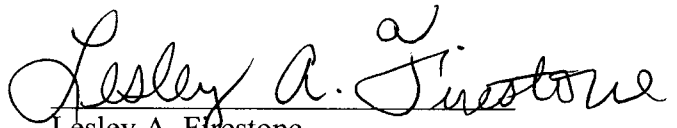
SC Court of Appeals

Pursuant to South Carolina Appellate Court Rule 263(b), Appellant moves for an extension of fourteen (14) days from the existing deadline of February 6, 2015, to file its Initial Brief in this matter. Counsel for Appellant believed that she would be able to file Appellant's Initial Brief by the existing deadline; however, she unexpectedly contracted the flu and is now unable to complete Appellant's Initial Brief by the existing deadline. Counsel for Appellant requests an extension of fourteen (14) days to file the Initial Brief on the grounds that she is close to finalizing Appellant's Initial Brief; however, she needs a few additional days to complete Appellant's Initial Brief due to her sickness.

Appellant's Initial Brief will be due on or before February 20, 2015, if the extension is granted. Appellant's counsel has conferred with counsel for Respondent regarding this motion, and they consent to the fourteen (14) day extension.

For the reasons set forth herein, Appellant requests a fourteen (14) day extension to serve and file its Initial Brief.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lesley A. Firestone". The signature is written in black ink and is positioned above the typed name and address.

Lesley A. Firestone
Moore & Van Allen, PLLC
78 Wentworth Street
Charleston, SC 29401
(843) 579-7000

Lara Mary Caudy, Esquire
Robert Michael Dudek, Esquire
Chief Appellate Defender
PO Box 11589
Columbia, SC 29211

Attorneys for Damyon Cotton

February 3, 2015

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions

J. Michael Baxley, Circuit Court Judge

Appellate Case No. 2014-000395

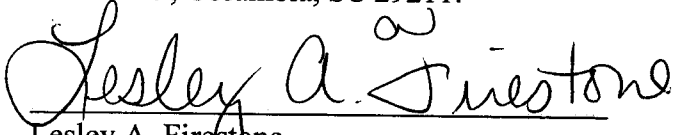
The State, Respondent,

v.

Damyon M. Cotton, Appellant.

PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time to File Brief of Appellant by depositing a copy of it in the United States Mail, postage prepaid, on February 3, 2015, addressed to attorneys for the Respondent, Alan McCrory Wilson and Salley W. Elliott, State of South Carolina, Office of the Attorney General, PO Box 11549, Columbia, SC 29211.


Lesley A. Firestone
Moore & Van Allen, PLLC
78 Wentworth Street
Charleston, SC 29401
(843) 579-7000

Robert Michael Dudek, Esquire
Chief Appellate Defender
PO Box 11589
Columbia, SC 29211

February 3, 2015

Attorneys for Damyon Cotton

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DARLINGTON COUNTY
Court of General Sessions

J. Michael Baxley, Circuit Court Judge

Appellate Case No. 2014-000395

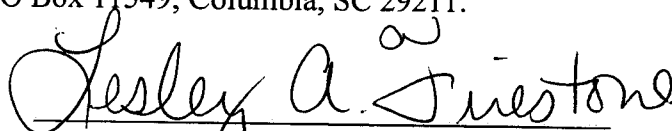
The State, Respondent,

v.

Damyon M. Cotton, Appellant.

PROOF OF SERVICE

I certify that I have served the Motion for Extension of Time to File Brief of Appellant by depositing a copy of it in the United States Mail, postage prepaid, on February 3, 2015, addressed to attorneys for the Respondent, Alan McCrory Wilson and Salley W. Elliott, State of South Carolina, Office of the Attorney General, PO Box 11549, Columbia, SC 29211.



Lesley A. Firestone
Moore & Van Allen, PLLC
78 Wentworth Street
Charleston, SC 29401
(843) 579-7000

Robert Michael Dudek, Esquire
Chief Appellate Defender
PO Box 11589
Columbia, SC 29211

February 3, 2015

Attorneys for Damyon Cotton

Moore&VanAllen

February 3, 2015

VIA OVERNIGHT DELIVERY

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

Lesley A. Firestone
Attorney at Law

T 843 579 7027
F 843 579 8720
lesleyfirestone@mvalaw.com

Moore & Van Allen PLLC

78 Wentworth St.
Charleston, SC 29401-1428

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

Re: The State vs. Damyon Cotton
Appellate Case No.: 2014-000395

Dear Ms. Kitchings:

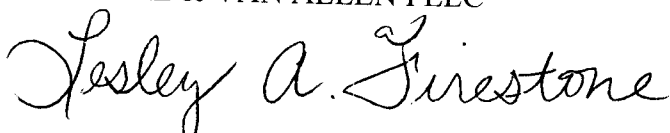
With regard to the above-referenced matter, enclosed please find for filing with the Court, an original and seven (7) copies of a **Motion for Extension of Time to File Brief of Appellant and Proof of Service**.

Please file the originals and return a date-stamped copy of each to me in the enclosed self-addressed, stamped envelope.

By copy of this letter, I am serving a copy of the foregoing pleading on counsel of record.

Sincerely,

MOORE & VAN ALLEN PLLC



Lesley A. Firestone

LAF/ws

cc: Salley W. Elliott, Esquire
Alan McCrory Wilson, Esquire
Robert Michael Dudek, Esquire
Lara Mary Caudy, Esquire

RECEIVED

FEB 04 2015

SC Court of Appeals

Moore & Van Allen PLLC

78 Wentworth Street

Post Office Box 22828

Charleston, South Carolina 29413-2828