

STATE OF SOUTH CAROLINA
In The Court of Appeals

FEB 11 2015
SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Judge Letitia H. Verdin, Circuit Court Judge

Appellate Case No. 2014-001150

THE STATE,RESPONDENT

v.

WALTER J. MERKA,APPELLANT.

MOTION FOR EXTENSION OF TIME

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

I.

The Initial Brief of Respondent and Designation of Matter are due to the Court today, pursuant to two previous extensions granted by the Court.

II.

However, due to completion of the initial briefs in State v. Mazique (8 issues), State v. McBride (seven issues) for this Court and the Brief of Respondent in Sanders v. State for the Supreme Court, I am unable to complete this brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

BY: 

DAVID SPENCER
Senior Assistant Attorney General

BY: 

Dave Spencer
S. C. Bar No: 68571

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

ATTORNEYS FOR RESPONDENT

February 11, 2015

STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Letitia H. Verdin, Circuit Court Judge

Appellate Case No. 2014-001150

THE STATE,RESPONDENT

v.

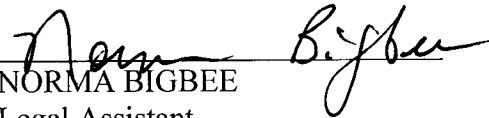
WALTER J. MERKA,APPELLANT.

PROOF OF SERVICE

I, Norma Bigbee, certify that I have served the Motion for Extension of Time on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record, William G. Yarborough, III, Esquire, 522 North Church St., Greenville, SC 29601.

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

This 11th day of February, 2015.


NORMA BIGBEE
Legal Assistant

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



FEB 11 2015

SC Court of Appeals



RECEIVED
FEB 11 2016
SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

February 11, 2015

VIA HAND DELIVERY

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

RE: **State v. Walter J. Merka**
Appellate Case No: 2014-001150

Dear Ms. Kitchings:

Please find the original of the Motion For Extension of Time along with proof of service, in the above-referenced case. By copy of this letter we are serving opposing counsel with this motion.

Sincerely,

David Spencer
Senior Assistant Attorney General
S.C. Bar No: 68571

DS/ab
Enclosures

cc: William G. Yarborough, III, Esquire (2 copies enclosed)
Ms. Trisha Allen (1 copy enclosed)