

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable R. Markley Dennis, Circuit Court Judge
Appellate Case No. 2012-212760

The State

v.

Respondent,

Alan L. Burns,

Appellant.

**RESPONDENT'S MOTION FOR THIRD EXTENSION OF TIME
WITHIN WHICH TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent hereby moves for a third extension of time to file the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal. In support of this motion, Respondent submits the following:

1. The Initial Brief of Respondent and Designation of matter are due to be served and filed February 13, 2015, pursuant to a second extension. Respondent moves for a third extension, which is not made for the purpose of delay, but due to a heavy caseload. The Respondent has also been gathering multiple documents relevant to the issues raised in this appeal.

2. In addition to her regular caseload, the undersigned supervises the Attorney General's Sexually Violent Predator (SVP) Unit. In her capacity as supervisor of the SVP unit, she is required on a daily basis to address multiple issues involving sexual predator cases, including legal issues in pending commitment and annual review cases, and she handles all sexual predator appeals.

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SC Court of Appeals

3. Counsel worked on the Initial Brief and Designation in this matter, but was not able to complete it prior to the due date. The undersigned assures the Court completion of this brief is a high priority, and she will work diligently to complete it in a timely manner and without further extension requests.

4. The undersigned consulted with opposing counsel and is authorized to advise the Court that counsel consents to the requested relief.

Based on the foregoing, Respondent respectfully requests that this Court grant a third extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this motion.

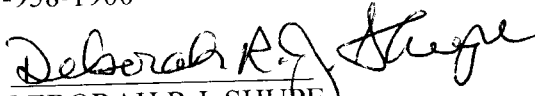
Respectfully submitted,


ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

SALLEY E. ELLIOTT
Senior Assistant Deputy Attorney General

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By: 
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P.O. Box 11549
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(803) 734-3797
ATTORNEYS FOR RESPONDENT

Columbia, SC
February 13, 2015

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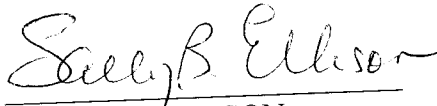
PROOF OF SERVICE

I, Sally B. Ellison, certify I served the Respondent's Motion for Third Extension on Appellant by depositing a copy in the United States mail, postage prepaid, addressed to

Susan B. Hackett, Esquire
Appellate Defender
Post Office Box 11589
Columbia, SC 29201

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

This 13th day of February, 2015


SALLY B. ELLISON
Legal Assistant

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-4156

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SC Court of Appeals



ALAN WILSON
ATTORNEY GENERAL

February 13, 2015

VIA HAND-DELIVERY

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

Re: The State v. Alan L. Burns
Appellate Case No. 2012-212760

Dear Ms. Kitchings:

Enclosed for filing are the original and seven (7) copies of Respondent's Motion for Third Extension, with proof of service. Please return the extra clocked copy via our courier.

Sincerely,

Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

DRJS/sbe
Enclosures

cc: Susan B. Hackett, Esquire (w/enclosures)
Victim Services (w/enclosure)

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