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JUN 26 2015

SC Court of Appeals

June 24, 2015

Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Robert Jared Prather v. State of South Carolina*

Dear Ms. Kitchings:

I am respectfully requesting an extension to file this brief. It is currently due on June 26th. In addition to this appeal, I have four filings due in federal court in the case of *Avery v. McCall-Tanner*, 9:14-cv-37-DCN-BM. On Friday I must file a reply to a response to a motion for summary judgment against defendants McCall-Tanner and Wilson. On June 29th, a reply to the response for motion for summary judgement against defendant Garvin is due. Then, on July 6th, I am scheduled to file response to all defendants' motions for summary judgment.

I have thoroughly read the transcript in this case and have identified issues I intend to present to the Court including:

- 1) The trial court abused its discretion by admitting into evidence the misspelling of the word "rapist" written by the co-defendant because it was hearsay, a testimonial statement subject to the Confrontation Clause, and inadmissible under Rule 403, SCRE.
- 2) The trial court abuse its discretion by allowing Agent Paul LaRosa to testify as a reply witness because the State violated Brady and Rule 5 by failing to disclose its intention to call this witness, resulting in improper "sandbagging" of the Defendant, and that LaRosa was not sufficiently qualified to testify.
- 3) The trial court judge erred by denying appellant's motions for a speedy trial, motion to suppress fruits of a search warrant, and his motion for a directed verdict.

Because there are a number of potentially meritorious issues that are properly preserved for appellate review, I respectfully ask this Court to grant additional time to perfect the appeal, and

request an additional 30 days.

Sincerely,

A handwritten signature in black ink, appearing to read 'EAFB', with a long horizontal flourish extending to the right.

Elizabeth A. Franklin-Best

cc: Donald J. Zelenka, Esq.

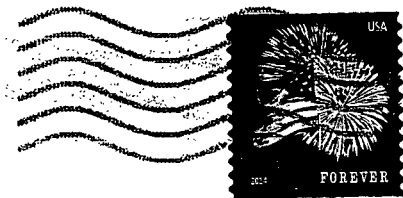
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