

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM UNION COUNTY  
Court of General Sessions

John C. Hayes, III, Circuit Court Judge

Case No. 2011-GS-44-0413

RECEIVED

JUL 28 2015

SC Court of Appeals

The State of South Carolina,.....Respondent,

v.

Stephen Douglas Berry,.....Appellant.

**CONSENT MOTION FOR EXTENSION OF TIME  
TO FILE APPELLANT'S PETITION FOR REHEARING AND SUGGESTION  
FOR REHEARING *EN BANC***

This Court issued Opinion No. 5329 in the above matter on July 15, 2015. Your Petitioner, Stephen Douglas Berry, intends to file a Petition for Rehearing and a Suggestion for Rehearing *En Banc*. Pursuant to Rule 221 and Rule 219, SCACR, Appellant's Petition for Rehearing and Suggestion for Rehearing *En Banc* is therefore due for actual receipt by the Court on July 30, 2015.

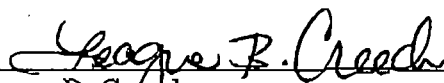
On behalf of Mr. Berry, the undersigned respectfully requests an extension time of an additional fifteen (15) days for Appellant to file and serve the Petition for Rehearing and Suggestion for Rehearing *En Banc*. Mr. Berry requests this additional time due to the immediate case demands and schedule of counsel for Mr. Berry, as well

as the nature of the issues raised in the Opinion of which Appellant seeks review. The undersigned has consulted with counsel for Respondent and opposing counsel has consented to Petitioner's request. This is the first request for an extension by Petitioner with regard to the Petition for Rehearing and Suggestion of Rehearing *En Banc*.

Therefore, the Appellant/Petitioner respectfully requests an extension of fifteen (15) days, making Appellant's Petition for Rehearing and Suggestion of Rehearing *En Banc* due for filing and service no later than Friday, August 14, 2015.

Respectfully submitted,

By:

  
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ATTORNEYS FOR APPELLANT

July 28, 2015

Hampton, South Carolina

THE STATE OF SOUTH CAROLINA  
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The State of South Carolina,.....Respondent,

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**PROOF OF SERVICE**

I certify that I have served the Consent Motion for an Extension of time to File and Serve Appellant's Petition for Rehearing and Suggestion for Rehearing *En Banc* on Respondent by depositing a copy of it in the United States Mail, postage prepaid, on July 28, 2015, addressed to its attorneys of record, Salley W. Elliott, Esquire and William M. Blich, Jr., Esquire, South Carolina Attorney General's Office, Post Office Box 11549, Columbia, South Carolina 29211.

  
League B. Creech  
Post Office Box 457  
Hampton, South Carolina 29924

Attorneys for Appellant

July 28, 2015  
Hampton, South Carolina

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WILLIAM F. BARNES, III  
AUSTIN H. CROSBY

\* INACTIVE

July 28, 2015

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SC Court of Appeals

VIA FACSIMILE AND U.S. MAIL

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

Re: The State of South Carolina, Respondent v. Stephen Douglas Berry, Appellant  
Appellate Case Number: 2013-000435

Dear Ms. Kitchings:

Enclosed please find one original and six (6) copies of the Consent Motion for Extension of Time to File Appellant's Petition for Rehearing and Suggestion for Rehearing *En Banc* as well as a Proof of Service regarding the above-referenced matter. As this is a criminal appeal, I am not enclosing a filing fee.

I have copied opposing counsel on this correspondence.

Thank you for your consideration of this request.

With kind personal regards, I am

Sincerely,

*League B. Creech*  
League B. Creech

/LBC

Enclosures

cc: Salley W. Elliott, Esquire  
William M. Blich, Jr., Esquire

**PETERS, MURDAUGH, PARKER  
ELTZROTH & DETRICK, P.A.  
P.O. BOX 457  
HAMPTON, S.C. 29924  
(803) 943-2111  
(803) 943-3943 FAX**

**FAX COVER SHEET**

TO: The Honorable Jenny Abbott Kitchings 803-734-1839  
William M. Blich, Jr., Esquire 803-734-4113

FROM: League B. Creech

RE: State of SC v. Berry

PAGES: 5 (INCLUDING COVER PAGE)

DATE: July 28, 2015

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SC Court of Appeals

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