

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2012-210914

RECEIVED
AUG 16 2012

SC Court of Appeals

Anthony C. Odom Appellant,

v.

Alan Wilson, in his official capacity as Attorney General for the State of South Carolina,
J. Strom Thurmond, Jr, Barry Barnett, and Christina T. Adams, in their official capacities
as South Carolina Circuit Solicitors, Respondents.

MOTION FOR EXTENSION OF TIME AND TO HOLD DEADLINE
IN ABEYANCE OF RESPONDENTS

Pursuant to Rule 263 (b), SCACR, the Respondents hereby move for a 30 day extension of time to file their initial brief and designation of matter for the record and move to hold deadlines in abeyance pending a decision regarding the extension motion.

Respondents note the following:

1. The current deadline for filing the brief and designation is August 23, 2012, pursuant to this Court's Order of last month which granted a previous extension request. Under this proposed extension, the brief and designation will be due September 24.

2. Counsel for Respondents needs additional time to complete the brief and designation because, since the previous deadline passed, he has had a ten day out-of state business trip and has deadlines in other matters converging the week of August 20.
3. Although counsel hopes to have the brief completed before Labor Day, he seeks additional days beyond then to avoid another extension request should one be necessary.
4. Counsel for Appellant consents to this extension. *See* attached email.
5. Respondents ask that this Court hold deadlines in abeyance until an order is issued regarding this Motion.
6. A separate supporting memorandum is not filed with this Motion because the grounds for the Motion are set forth in the Motion.

For the foregoing reasons, Respondents respectfully request that their extension request be granted.

Respectfully submitted,

ALAN WILSON
Attorney General
J. EMORY SMITH, JR.
Assistant Deputy Attorney General
Office of the Attorney General
SC Bar No. 5262
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3680

By: 
ATTORNEYS FOR RESPONDENTS

August 16, 2012

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2012-210914

Anthony C. Odom Appellant,

v.

Alan Wilson, in his official capacity as Attorney General for the State of South Carolina,
J. Strom Thurmond, Jr, Barry Barnett, and Christina T. Adams, in their official capacities
as South Carolina Circuit Solicitors, Respondents.

CERTIFICATE OF SERVICE

I hereby certify that I have served the Motion for Extension upon counsel for
Appellant by mailing a copy to her at the address below via the United States Mail this
August 16, 2012:

Tina L. M. Young, Esquire
Tina L. M. Young, Esquire, LLC
Attorney at Law
P.O. Box 6378
Aiken, SC 29804



J. EMORY SMITH, JR.
Assistant Deputy Attorney General

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ALAN WILSON
ATTORNEY GENERAL

August 16, 2012

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The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
HAND DELIVERY

Re: Odom v. Wilson, et al 2012-210914

Dear Ms. Kitchings:

Enclosed for filing with your Office are the original and six copies of the Respondents' Motion for Extension of Time to file the Initial Brief and Designation in this case together with a Certificate of Service. Included in that Motion is a request that the existing filing deadline be held in abeyance pending a decision regarding this Motion.

Also, I note that I used a caption referencing only those Respondents who were parties to the case at the time of the service and filing of the Notice of Appeal. The other Solicitor defendants were dismissed prior to that time by the Appellant. If all Solicitors need to be named as Defendants and, of that group, the participating solicitors named as Respondents please advise and corrections will be made in the caption in the future.

Thank you for your consideration of this request.

Respectfully submitted,

J. Emory Smith, Jr.
Assistant Deputy Attorney General
Counsel for Respondents

cc: Tina L. M. Young, Esquire

Emory Smith - Re: Odom appeal extension

From: Tina Young <tlm.young@yahoo.com>
To: "AGESMITH@scag.gov" <AGESMITH@scag.gov>
Date: 8/16/2012 11:13 AM
Subject: Re: Odom appeal extension

Mr. Smith,

Yes, I do agree to one additional 30 day extension, thus making the brief due on September 24.

Tina Young

Sent from Yahoo! Mail on Android

From: Emory Smith ;
To: ;
Subject: Odom appeal extension
Sent: Thu, Aug 16, 2012 2:42:32 PM

My brief is currently due on 8/23 which conflicts w/ a Fourth Circuit brief I have due then and some other deadlines. I probably only need a one week extension but would like to request 30 days to avoid any need for additional requests. Do you consent to an additional 30 days which would make the brief due 9/24? Thanks.

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