

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County
Honorable Roger L. Couch, Circuit Court Judge
Appellate Case Tracking No. 2015-000171

The State,

vs.

Reginald R. White,

RECEIVED
Respondent,
DEC 07 2015
Appellant.
SC Court of Appeals

**MOTION OUT OF TIME FOR THIRD EXTENSION
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

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

I.

The Initial Brief of Respondent and Designation of Matter were due to be served and filed December 4, 2015. However, due to illness the undersigned was unable to serve and file the motion for an extension on that date. As a result, the undersigned asks to serve and file the motion out of time.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a third extension in the above referenced appeal. The undersigned is currently working on this Brief and will have it completed in a timely manner. However, due to work required in other cases pending

before this Court and the South Carolina Supreme Court, I am unable to complete this Brief on time. The undersigned has filed several Petitions for Rehearing in cases in the South Carolina Supreme Court as well as other filings in the South Carolina Supreme Court. Additionally, the undersigned has filed Briefs in several cases in which deadlines were before the current appeal. Finally, the undersigned participated in oral arguments before the South Carolina Court of Appeals and the South Carolina Supreme Court.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. The undersigned anticipates completing the Brief without need for any further extensions. I would, therefore, request a third extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, grant the request to serve and file the motion out of time, and 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 from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

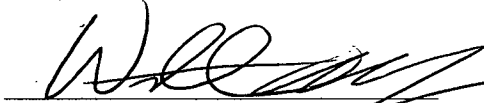
Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General



J. Benjamin Aplin
Interim Senior Assistant Deputy Attorney General



William M. Blich, Jr.
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(803) 734-3727

ATTORNEYS FOR RESPONDENT

December 7, 2015

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Richland County
Honorable Roger L. Couch, Circuit Court Judge
Appellate Case Tracking No. 2015-000171

The State,

vs.

Reginald R. White,

Respondent

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PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion Out of Time for Third Extension to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Robert M. Pachak, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211

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

This 7th day of December, 2015.



SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

December 7, 2015

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SC Court of Appeals

VIA HAND DELIVERY

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

Re: State v. Reginald R. White
Appellate Case Tracking No. 2015-000171

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion Out of Time for Third Extension to Serve and File Initial Brief of Respondent and Designation of Matter along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: Robert M. Pachak, Esquire
Victim Services