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WILLIAM P. HATFIELD ‡*
E. HOOD TEMPLE
DAVID P. CARAKER, JR.

PETER D. HYMAN (1927-1999)
REGINALD C. BROWN, JR. (1940-2010)
EVANDER G. JEFFORDS (Retired)

*American Board of Trial Advocates
‡Board Certified Civil Trial Specialist by The National Board of Trial Advocacy

170 Courthouse Square
Post Office Box 1770
Florence, SC 29503-1770
Telephone: (843) 662-5000
Fax: (843) 678-9273

Web: www.hymanlawfirm.com
E-Mail: dpcaraker@hymanlawfirm.com

September 4, 2012

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

Re: J. Gregory Hembree, Solicitor,
Fifteenth Judicial Circuit, on behalf of
the Horry County Police Department,
Respondent vs. Taurus .38 Special
Pistol; SN: SF53109, 1994 Monaco
RV, VIN: 1RF120611R1010972; and
One Thousand Eight Hundred Forty-
Seven Dollars (\$1,847.00), U.S.
Currency, Defendant property, and
Michael James Albin, Appellant, of
whom Michalea Albin, as personal
representative of the estate of Michael
J, Albin, is the Appellant

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SEP 07 2012
SC Court of Appeals

Dear Ms. Kitchings:

I would like to respectfully request an extension of time in which to file a Respondent's brief in this matter. This is my first such request. I was retained to represent the Respondent in this case on August 29, 2012. By my calculation, because of when the Appellant's brief was served, I would only have until September 10, 2012 to complete and file the Respondent's brief. I feel that is not enough time to give this matter the attention that it deserves.

Please find enclosed our firm's check for \$25.00 as a filing fee for this request. I have spoken to Appellant's counsel, David J. Canty, about this extension, and he has no objection. I anticipate that I will be able to complete the brief and have it filed with the Court on or before October 3, 2012.

I have also enclosed a copy of the certificate of mailing of this correspondence upon opposing counsel.

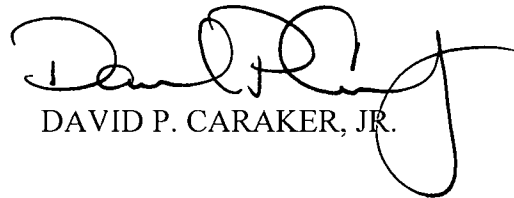
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September 4, 2012
Page 2

Thank you for your kind attention to this matter.

With kindest regards, I am

Yours very truly,



DAVID P. CARAKER, JR.

DPC:dpc
Enclosure
cc: David J. Canty, J. Gregory Hembree

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SC Court of Appeals

STATE OF SOUTH CAROLINA

J. Gregory Hembree, Solicitor, Fifteenth
Judicial Circuit, on behalf of the Horry County
Police Department

Respondent,

vs.

Taurus .38 Special Pistol SN: SF53109; 1994
Monaco RV, VIN 1RF120611R1010972; and
One Thousand Eight Hundred Forty-Seven
(\$1,847.00) Dollars U.S. Currency, Defendant
property, and Michael James Albin, Appellant,
of whom, Michaela Albin, as personal
representative of the estate of Michael J. Albin
is the,

Appellant.

IN THE
COURT OF APPEALS
C/A #'S 2009-CP-26-1281
2009-CP-26-3127
2009-CP-26-3128

CERTIFICATE OF
MAILING

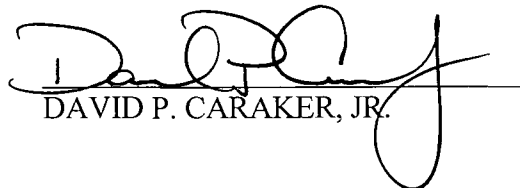
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SC Court of Appeals

The undersigned, a Associate for The Hyman Law Firm, LLP, attorneys for the, does hereby certify that he deposited in the United States Mail a copy of the request for an extension of time dated September 4, 2012, the same being addressed to those persons whose names and addresses appear below, this being done on September 4, 2012, and that sufficient postage was affixed thereto:

David J. Canty, Esquire
4612 Oleander Drive
Myrtle Beach, SC 29577

Florence, SC

September 4, 2012


DAVID P. CARAKER, JR.