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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of General Sessions

Daniel Dewitt Hall, Circuit Court Judge

Appellate Case No. 2015-001409

RECEIVED
DEC 17 2015
SC Court of Appeals

State of South Carolina,

Appellant,

v.

Charles Todd Burns,

Respondent.

MOTION FOR EXTENSION OF TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Respondent, by his counsel herein, moves this Court for an order granting him an extension of time in which to file the Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal in the matter above, on the grounds stated below:

1. Present Counsel for the Respondent, Michael L. Brown, Jr., received the Initial Brief of the Appellant, mailed on November 13, 2015, its receipt unstamped (and thus undated), on or before December 4, 2015.
2. Present Counsel for the Respondent had, with the Respondent's prior agreement, agreed to his substitution as counsel by John Martin Foster, whose experience in appellate matters is extensive. A Petition under Rule 264, S.C.A.C.R. for substitution has now, or shortly will be, filed.
3. Mr. Foster, as prospective counsel, is prevented from filing the Respondent's

Initial Brief and Designation of Matter owing to the press of business in his office.

The basis of this Motion is the within-cited Rules, the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Respondent herein moves this Court for an extension of time for a period of thirty (30) days in which to file the Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal.

December 15, 2015

Michael L. Brown, Jr.
Post Office Box 1025
Rock Hill, SC 29731
803 328-8822

John Martin Foster
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Rock Hill, South Carolina 29731
(803) 324-8100
Attorneys for Respondent

By:  _____

Other Counsel of Record:

William M. Blich, Jr.
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, S. C. 29211
Attorney for Appellant
(803) 734-3970

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CERTIFICATE OF SERVICE

I certify that I have served the Respondent's Motion for Extension of Time dated December 15, 2015, on the following counsel or persons of record:

William M. Blitch, Jr.
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, S. C. 29211

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262(b), S.C.A.C.R.

December 15, 2015



John Martin Foster
Post Office Box 106
Rock Hill, S. C. 29731-6106
803 324-8100
Attorney for Respondent

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SC Court of Appeals

JOHN MARTIN FOSTER

Attorney at law

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Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

December 15, 2015

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

Re: State of SC, Appellant,
v. Charles Todd Burns, Respondent
Appeallate Case No. 2015-001409


Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Respondent's Motion for Extension of Time, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondent with copies of the said Motion, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely,

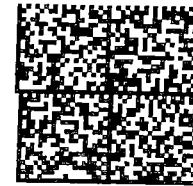


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jmf/
enclosures

cc: William M. Blich, Jr.
Assistant Attorney General
Office of the Attorney General
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Columbia, S. C. 29211
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(803) 734-3970

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US POSTAGE

John Martin Foster Attorney

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TO: THE HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF THE COURT OF APPEALS
POST OFFICE BOX 11629
COLUMBIA, S.C. 29211