

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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DEC 30 2015
SC Court of Appeals

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

The Honorable Clifton Newman, Circuit Court Judge

Case No. 2015-001540

The State of South Carolina, Respondent,
v.
Marty Lee Barnes, Appellant.

PETITION FOR EXTENSION TO FILE INITIAL BRIEF OF APPELLANT AND
DESIGNATION OF MATTER

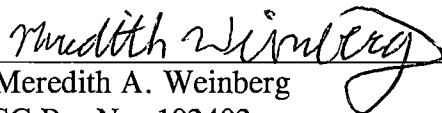
The undersigned counsel respectfully requests a thirty (30) day extension until Tuesday, February 16, in which to file the initial brief of appellant and designation of matter in the above-referenced case. In support of this petition, counsel would respectfully show the Court the following as evidence of good cause:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed on January 15, 2015.
2. Counsel accepted this case on a pro bono basis.
3. Counsel received her first written notice in this case on December 1, 2015, in the form of the Order granting an extension for the filing and serving of appellant's initial brief and designation of matter.

4. Counsel is preparing for the production of several thousand pages of documents in response to a Civil Investigative Demand issued in a criminal and civil fraud investigation of a health care provider by federal and state authorities. The production is due by February 1, 2015.
5. Counsel accepted this case following consultation with Robert M. Dudek regarding her caseload. Upon advice of Mr. Dudek, counsel planned to file her first request for an extension due to the above-referenced preexisting responsibilities.
6. This request is made in good faith, and not for purposes of delay.
7. Counsel for the state and for the South Carolina Law Enforcement Division graciously consent to this request.

WHEREFORE, the undersigned counsel would respectfully request a thirty day extension.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 
Meredith A. Weinberg
SC Bar No. 102402
E-Mail: meredith.weinberg@nelsonmullins.com
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
(803) 799-2000

Attorney for Marty Lee Barnes

Columbia, South Carolina

December 30, 2015

CERTIFICATE OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellant, Marty Lee Barnes, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings:

*Petition for Extension to File Initial Brief of Appellant
and Designation of Matter*


Counsel Served:

Alan M. Wilson, Esquire
Courtney E. Lowell, Esquire
SC Attorney General's Office
P. O. Box 11549
Columbia, SC 29211

Adam L. Whitsett, Esquire
SC Law Enforcement Division
P. O. Box 21398
Columbia, SC 29221

Robert M. Dudek, Esquire
SC Commission on Indigent Defense
1330 Lady Street, Suite 401
Columbia, SC 29201

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Myriam Brown
Administrative Assistant

12/30, 2015

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
1320 Main Street / 17th Floor / Columbia, SC 29201
Tel: 803.799.2000 Fax: 803.256.7500
www.nelsonmullins.com

Meredith A. Weinberg
Tel: 803.255.9399
meredith.weinberg@nelsonmullins.com

December 30, 2015

Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
1015 Sumter Street - 5th Floor
Columbia, SC 29201

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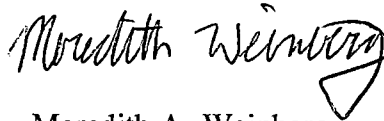
RE: Marty Lee Barnes vs. State of South Carolina
Case No. 2015-001540

Dear Ms. Kitchings:

I am enclosing the original and six copies of Petition for Extension to File Initial Brief of Appellant and Designation of Matter in the above criminal case. I have also enclosed a copy for you to file stamp and return to our office via our courier.

By copy of this letter, we are also serving opposing counsel.

Very truly yours,



Meredith A. Weinberg

MAW:myb

cc:

Robert M. Dudek, Esquire
Courtney Edwards Lowell, Esquire
Adam L. Whitsett, Esquire
Alan M. Wilson, Esquire