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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Lancaster County
The Honorable Brian M. Gibbons, Circuit Court Judge
Appellate Case No. 2015-000126

THE STATE,

Respondent,

v.

DEMARIO MONTE THOMPSON,

Appellant.

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

Respondent hereby moves for a third extension of time to file the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal. In support of this motion, Respondent submits the following:

1. Respondent's initial brief and designation are due December 29, 2015, pursuant to a second extension request. Respondent requests a third thirty day extension to serve and file these documents, which is not made for the purpose of delay, but due to counsel's significant absences from the office relating to flood damage to her home and a work related injury. Counsel continues to be on a medically required work restriction, and is only able to work a few hours per day when possible.

2. In addition to completing briefs in other cases before this Court and the Supreme Court since the second extension request, Counsel worked on the Initial Brief

and Designation in this matter, but was not able to complete it prior to the due date. The undersigned assures the Court completion of this brief is a high priority, and she will work diligently to complete it in a timely manner and without further extension requests.

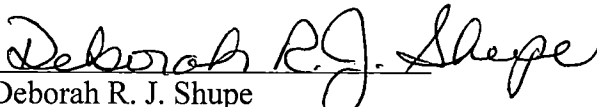
3. The undersigned consulted with counsel for Appellant and is authorized to advise the Court he consents to the requested relief.

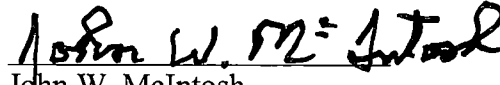
Based on the foregoing, Respondent respectfully requests that this Court grant a third thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this motion.

Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

By: 
Deborah R. J. Shupe
Senior Assistant Deputy Attorney General


John W. McIntosh
Chief Deputy Attorney General

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Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

January 4, 2016

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Lancaster County
The Honorable Brian M. Gibbons, Circuit Court Judge
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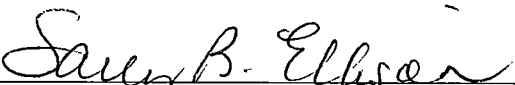
PROOF OF SERVICE

I, Sally B. Ellison, certify I served the Motion 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:

John H. Strom
Assistant Appellate Defender
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 4th day of January, 2016.


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



ALAN WILSON
ATTORNEY GENERAL

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SC Court of Appeals

January 4, 2016

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. Demario Monte Thompson
Appellate Case No. 2015-00126

Dear Ms. Kitchings:

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

Sincerely,

Deborah R. J. Shupe
Senior Assistant Deputy Attorney General

Enclosures

cc: John H. Strom, Assistant Appellate Defender
Victim Services

Hand Delivery

S.C. COURT OF APPEALS

~~Please return extra copy to AG's Office~~