

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of General Sessions

Deandrea G. Benjamin, Circuit Court Judge

Appellant Case No. 2014-002126

RECEIVED

JAN 19 2016

SC Court of Appeals

The State,

Respondent,

v.

Arthur William Macon,

Appellant

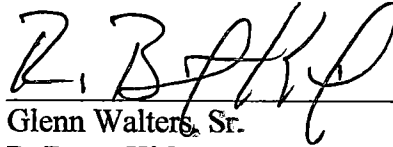
**MOTION TO EXTEND TIME TO FILE INITIAL BRIEF  
AND DESIGNATION OF MATTER**

The Appellant hereby files a Motion to Extend Time to File Initial Brief from January 20, 2016 until February 19, 2016. The undersigned has obtained the approval of the Respondent and attaches his email confirming consent to this Motion. In support of the Motion the Appellant hereby states as follows:

1. The deadline for the filing of the Initial Brief and Designation of Record is January 20, 2016.
2. Until recently, the Undersigned the did not have copies of the exhibits.
3. Copies of the exhibits have now been obtained and the undersigned now has the entire file to prepare the Initial Brief and Designation of Matter..
4. The undersigned attorneys hereby respectfully requests the Court to grant them an extension of time for at least 30 days to complete their review of the file and record and prepare the Brief and Designation of Record.
5. Counsel respectfully requests until February 19, 2016, to file and serve the identified documents in this case.
6. The undersigned has conferred with counsel for the Respondent who agreed to the Extension of Time and authorized the undersigned to represent this consent to the Court by attaching a copy

of his email to this Motion.

This the 19<sup>th</sup> day January, 2016, at Orangeburg, South Carolina.



Glenn Walters, Sr.

R. Bentz Kirby

P O Box 1346

Orangeburg, SC 29116

(803) 531-8844

(Fax) (803) 531-3628

Attorneys for Appellant



R Bentz Kirby &lt;rbk.glennwalterspa@gmail.com&gt;

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**State v Arthur Macon Appellate Case No. 2014-2126**

2 messages

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**R Bentz Kirby** <rbk.glennwalterspa@gmail.com>

Tue, Jan 19, 2016 at 1:41 PM

To: "J. Benjamin Aplin" &lt;baplin@scag.gov&gt;

Dear Mr. Ben:

Pursuant to our telephone conversation regarding the briefing schedule, it is my understanding that you have no objection to the Court granting the Appellant a thirty (30) day extension to file the Initial Brief and Designation of Record. Please confirm this by replying to this email.

As we discussed, I will attach the full email to the Motion to inform the Court of your agreement.

Thank you,

Bentz

-

R. Bentz Kirby, Sr.

Phone 803-531-8844

Fax 803-531-3628

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**Ben Aplin** <baplin@scag.gov>

Tue, Jan 19, 2016 at 2:03 PM

To: R Bentz Kirby &lt;rbk.glennwalterspa@gmail.com&gt;

That is correct. The State consents to your extension request.

I look forward to working with you and meeting you in person as this appeal moves forward.

**J. Benjamin Aplin****Interim Senior Assistant Deputy Attorney General**

**From:** R Bentz Kirby [mailto:rbk.glennwalterspa@gmail.com]

**Sent:** Tuesday, January 19, 2016 1:41 PM

**To:** Ben Aplin

**Subject:** State v Arthur Macon Appellate Case No. 2014-2126

[Quoted text hidden]

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In The Court of Appeals

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Court of General Sessions

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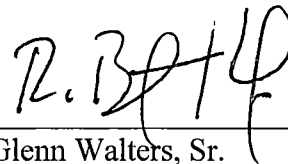
Arthur William Macon,

Appellant

CERTIFICATE OF SERVICE

On the 19th day of January, 2016, the undersigned served a copy of the Motion to Extend Time to File Initial Brief and Designation of Matter to be Included in the Record on counsel for the Respondent by placing a copy in the United States Mail, postage fully paid, to the following address:

J Benjamin Aplin  
S.C. Attorney General's Office  
PO Box 11549  
Columbia, SC 29211



Glenn Walters, Sr.  
R. Bentz Kirby  
P O Box 1346  
Orangeburg, SC 29116  
(803) 531-8844  
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Attorneys for Appellant

178469

**GLENN WALTERS  
ATTORNEY AT LAW, P. A.**

1910 RUSSELL STREET • POST OFFICE BOX 1346 • ORANGEBURG, S.C. 29116  
TELEPHONE: (803) 531-8844 • FACSIMILE: (803) 531-3628

Glenn Walters, Sr.  
R. Bentz Kirby, Retired and Of Counsel

January 19, 2016

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

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JAN 19 2016

**SC Court of Appeals**

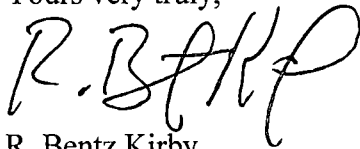
Re: The State v Arthur William Macon, Appellate Case No. 2014-2126

Dear Ms Kitchings:

Enclosed you will please find the Motion to Extend Time to File Initial Brief and Designation of Record for a time period of thirty (30) days. We also enclose the \$25.00 filing fee. Please call me at 803-413-5676 with any questions. I have spoken with Mr. Alpin's office and he confirmed his consent to the motion via email. He authorized the undersigned to represent this fact to the Court by attaching a copy of the email to the Motion.

With kind regards, I am

Yours very truly,



R. Bentz Kirby

cc: J Benjamin Alpin

Arthur Macon  
Lieber Correctional Institution  
Stono B 20  
PO Box 205  
Ridgeville, SC 29472