

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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JAN 22 2016

SC SUPREME COURT

Appeal from Beaufort County
The Honorable Carmen T. Mullen, Circuit Court Judge
Appellate Case No. 2014-001692

THE STATE,

Respondent,

v.

BRYAN REARICK,

Appellant.

**RESPONDENT'S MOTION FOR EXTENSION OF TIME
WITHIN WHICH TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent hereby moves for a second 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. Pursuant to a first extension, the Initial Brief of Respondent and Designation of Matter are due to be served and filed on January 22, 2016. Respondent requests a second thirty day extension to serve and file these documents, which is not made for the purpose of delay, but due to counsel's unavoidable absences from the office relating to work related injury. Counsel is currently on medically required work restriction, and is only able to work a few hours per day.

2. Since the Court granted the first extension in this case, counsel has completed and filed briefs and returns in other cases with earlier due dates and extensions, and is currently working diligently to complete an initial brief in a sexually violent predator appeal currently pending in this Court, which has multiple issues requiring extensive research. 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 second 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,


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ATTORNEYS FOR RESPONDENT

Columbia, SC

January 22, 2016

STATE OF SOUTH CAROLINA
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BRYAN REARICK,

Appellant.

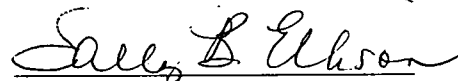
PROOF OF SERVICE

I, Sally B. Ellison, certify I served the Respondent's Motion for Second Extension on Appellant by depositing a copy in the United States mail, postage prepaid, addressed to:

Robert Dudek
Chief Appellate Defender
SC Commission on Indigent Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.

This 22nd day of January, 2016


SALLY B. ELLISON
Legal Assistant

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