

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

RECEIVED
JAN 28 2016
SC Court of Appeals

THE STATE,

Respondent,

v.

DEMARIO MONTE THOMPSON,

Appellant.

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

Respondent hereby moves for a limited fourth, and final, 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. The Initial Brief of Respondent and Designation of Matter are due to be served and filed January 28, 2016, pursuant to a third extension. Respondent requests a 30-day extension to serve and file these documents, which is not made for the purpose of delay, but due to counsel's unavoidable significant absences from the office relating to 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. Since the Court granted a third extension, counsel has completed and filed briefs and returns in other cases with earlier deadlines and extensions. Counsel has worked diligently on the Initial Brief and Designation in this matter, but was not able to

complete it prior to the due date. The documents are near completion, and counsel assures the Court the Initial Brief of Respondent and Designation of Matter will be completed, served, and filed within the 30 days requested.

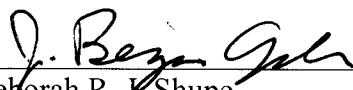
3. The undersigned consulted with counsel for Appellant, and as evidenced by his signature below, he consents to the requested relief.

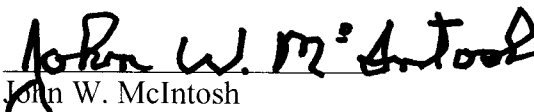
Based on the foregoing, Respondent respectfully requested that this Court grant a fourth, and final 30-day extension in which to file the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this motion.

Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

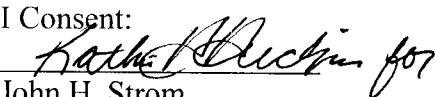
By: 
for Deborah R. J. Shupe
Senior Assistant Deputy Attorney General


John W. McIntosh
Chief Deputy Attorney General

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

January 28, 2016

I Consent:

John H. Strom
Assistant Appellate Defender

STATE OF SOUTH CAROLINA

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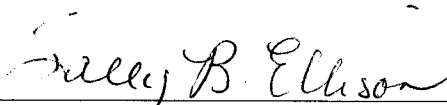
PROOF OF SERVICE

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 28th 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

RECEIVED

JAN 28 2016

SC Court of Appeals

January 28, 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 Fourth Extension to Serve and File Initial Brief of Respondent and Designation of Matter, with proof of service, in the above-referenced appeal.

Sincerely,

For

Deborah R. J. Shupe
Senior Assistant Deputy Attorney General

Enclosures

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