

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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

RECEIVED

FEB 22 2016

SC Court of Appeals
Respondent, Appeals

THE STATE,

RECEIVED

v. FEB 23 2016

BRYAN REARICK,

SC SUPREME COURT

Appellant.

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

Respondent State of South Carolina hereby moves for a third 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 and Designation of Matter are due to be served and filed February 22, 2016, pursuant to a second extension. The undersigned was unable to complete the Brief and Designation of Matter by this date and requests a third extension.

2. Respondent's request for a third extension to serve and file these documents is not made for the purpose of delay, but is due to counsel's unavoidable significant absences from the office due 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. Since the Court granted the second extension, counsel was out of the office for approximately three weeks (1/25 - 2/12) due to a medical procedure

related to her injury. By doing as much work as possible at home, counsel has completed and filed multiple briefs and returns in other cases with earlier deadlines and extensions, however, computer issues hindered her ability to complete more. Counsel assures the Court she will make every effort to complete, serve, and file the pleadings in this case as soon as possible.

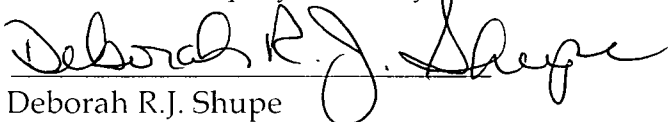
3. The undersigned consulted with counsel for the Appellant, and as evidenced by his signature below, he consents to the requested relief.

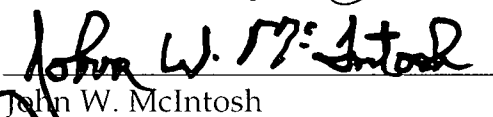
Based on the foregoing, Respondent respectfully requests that this Court grant a third and final 30-day extension in which to file the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this motion.

Respectfully submitted,

ALAN WILSON
Attorney General

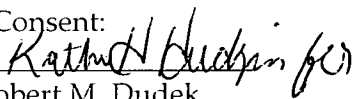
DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

By: 
Deborah R.J. Shupe

By: 
John W. McIntosh
Chief Deputy Attorney General
P.O. Box 11549
Columbia, SC 29211
803-734-3797

ATTORNEYS FOR RESPONDENT

Columbia, SC
February 22, 2016

I Consent:

Robert M. Dudek
Chief Appellate Defendant

STATE OF SOUTH CAROLINA
IN THE 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.

PROOF OF SERVICE

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

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

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

This 22nd day of February, 2016.


Sally B. Ellison
Legal Assistant

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-4156