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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Deandrea G. Benjamin, Circuit Court Judge

RECEIVED
FEB 19 2016
SC Court of Appeals

Appellant Case No. 2014-002126

The State,

Respondent,

v.

Arthur William Macon,

Appellant

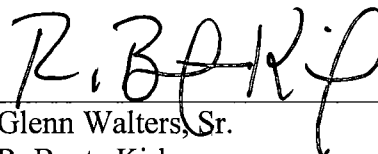
**MOTION TO EXTEND TIME TO FILE INITIAL BRIEF
AND DESIGNATION OF MATTER**

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 February 19, 2016.
2. Some of the copies of the exhibits received by the undersigned are not legible and the undersigned is attempting to obtain copies from the Clerk of Court. Additionally, the undersigned had some personal matters which required some of his time.
3. The undersigned is informed and believes that the Initial Brief and Designation of Record will be completed and filed by March 20, 2016.
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 March 20, 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 19th day February, 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 <rbk.glennwalterspa@gmail.com>

State vs Arthur Macon

2 messages

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

Wed, Feb 17, 2016 at 2:42 PM

To: "J. Benjamin Aplin" <baplin@scag.gov>

Cc: Glenn Walters <glennwalterspa@gmail.com>

Ben:

This email is to request that you confirm our discussion and agreement for an extension on Mr Macon's brief. I was sure I would have it completed but some matters came up and I do not believe I can complete it by Friday. Please respond to this email with a confirmation which I can attach to my Motion.

Bentz

-

R. Bentz Kirby, Sr.

Phone 803-531-8844

Fax 803-531-3628

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Ben Aplin <baplin@scag.gov>

Wed, Feb 17, 2016 at 2:53 PM

To: R Bentz Kirby <rbk.glennwalterspa@gmail.com>

Cc: Glenn Walters <glennwalterspa@gmail.com>

Bentz,

Certainly – as we discussed, the State has no objection to your request for a 30 day extension in which to file your Initial Brief and Designation of Matter.

Ben

J. Benjamin Aplin

Interim Senior Assistant Deputy Attorney General

South Carolina Office of the Attorney General

1000 Assembly Street, Suite 500

Post Office Box 11549

Columbia, SC 29211-1549

baplin@scag.gov

(803) 734-3727

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

Sent: Wednesday, February 17, 2016 2:43 PM

To: Ben Aplin

Cc: Glenn Walters

Subject: State vs Arthur Macon

[Quoted text hidden]

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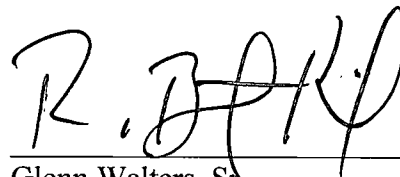
Arthur William Macon,

Appellant

CERTIFICATE OF SERVICE

On the 19th day of February, 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

**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

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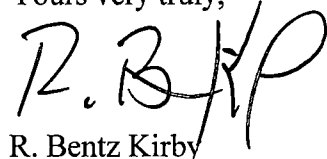
Re: The State v Arthur William Macon, Appellate Case No. 2014-2126

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