

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Aiken County  
Honorable G. Thomas Cooper, Circuit Court Judge  
Appellate Case Tracking No. 2015-000485

**RECEIVED**

MAR 09 2016

**SC Court of Appeals**

IN THE MATTER OF THE CARE AND TREATMENT  
OF RANDALL WADE MCCOY,

APPELLANT.

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

Respondent, State of South Carolina, hereby moves for a third 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 filed and served March 9, 2016, pursuant to a second extension. Respondent requests a third 30-day extension to serve and file these documents, which is not made for the purpose of delay, but due to counsel's significant absences from the office relating to a work related injury, including a three week absence associated with a medical procedure. Counsel continues to be on a medically required work restriction, and is only able to work a few hours per day when possible.

2. Counsel has worked on the Initial Brief and Designation in this matter, but was not able to complete it prior to the due date. Counsel assures the Court completion of this brief is a high priority, and she will work diligently to complete it.

3. The undersigned consulted with counsel for the Appellant, and she is authorized to advise the Court he consents to the requested relief.

Based on the foregoing, Respondent respectfully requests that this Court grant a third 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  
Deborah R.J. Shupe

JOHN M. McINTOSH  
Chief Deputy Attorney General

By: John W. McIntosh  
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ATTORNEYS FOR RESPONDENT

March 9, 2016

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OF RANDAL WADE MCCOY,

APPELLANT.


**PROOF OF SERVICE**

I, Sally Ellison, certify that I have served the Motion for Third Extension to File the 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:

Laura M. Caudy, Esquire  
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 9th day of March, 2016.

  
SALLY ELLISON  
Office of Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3727



ALAN WILSON  
ATTORNEY GENERAL

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MAR 09 2016  
SC Court of Appeals

March 9, 2016

**VIA HAND DELIVERY**

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: In the Matter of the Care and Treatment of Randall Wade McCoy  
Appellate Case No. 2015-2015-000485

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion for Third Extension to File Initial Brief of Respondent and Designation of Matter, along with proof of service for filing, in the above-referenced appeal.

Sincerely,

Deborah R.J. Shupe  
Senior Assistant Deputy Attorney General

DRJS/sbe  
Enclosures

cc: Laura M. Caudy, Esquire  
Victim Services