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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

Appellant Case No. 2014-002126

RECEIVED

MAR 21 2016

SC Court of Appeals

The State,

Respondent,

v.

Arthur William Macon,

Appellant

MOTION TO EXTEND TIME TO FILE INITIAL BRIEF

The Appellant hereby files a Motion to Extend Time to File Initial Brief from March 21, 2016 until March 28, 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 March 21, 2016.
2. The Designation of Matter to be Included in the Record is prepared and will be filed today.
3. The undersigned has a sudden medical issue which is preventing him from completing the brief and for which he has scheduled an appointment with his physician to be treated at 2:00 PM.
4. The undersigned believes that the short extension will allow him to deal with this medical issue and file the Initial Brief on or before Monday, March 28, 2016.
5. The undersigned attorneys hereby respectfully requests the Court to grant them an extension of time for at least seven (7) days to complete and file the Initial Brief.
6. Counsel respectfully requests an extension until March 28, 2016, to file and serve the Initial Brief in this case.

7. 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 21st day March, 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>

Short extension

2 messages

R Bentz Kirby <rbk.glennwalterspa@gmail.com>
To: "J. Benjamin Aplin" <baplin@scag.gov>

Mon, Mar 21, 2016 at 10:20 AM

Ben:

As I informed you I had planned to file the Initial Brief today, but I had a health problem yesterday which is going to prohibit me from completing and filing the Initial Brief today. This email is to ask you to confirm our discussion this morning and our agreement to a seven (7) day extension to file the Initial Brief. I will file the Designation of Matter today.

Please reply to this email confirming your consent and authorizing me to inform the Court of our agreement.

Bentz Kirby

--

R. Bentz Kirby, Sr.

Phone 803-531-8844
Fax 803-531-3628

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Ben Aplin <baplin@scag.gov>
To: R Bentz Kirby <rbk.glennwalterspa@gmail.com>

Mon, Mar 21, 2016 at 11:32 AM

Bentz,

Yes – per our telephone conversation this morning, I consent to the seven day extension request. Feel free to advise the Court of Appeals of my consent. I hope you are feeling better in short order.

Ben

J. Benjamin Aplin

Senior Assistant Deputy Attorney General

Criminal Appeals

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: Monday, March 21, 2016 10:21 AM

To: Ben Aplin

Subject: Short extension

[Quoted text hidden]

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
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Appellant Case No. 2014-002126

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The State,

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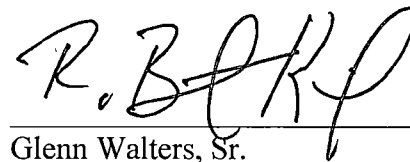
Arthur William Macon,

Appellant

CERTIFICATE OF SERVICE

On the 21st day of March, 2016, the undersigned served a copy of the Designation of Matter to be Included in the Record and a Motion to Extend Time to File Initial Brief 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
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Attorneys for Appellant

**GLENN WALTERS
ATTORNEY AT LAW, P. A.**

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TELEPHONE: (803) 531-8844 • FACSIMILE: (803) 531-3628

Glenn Walters, Sr.
R. Bentz Kirby, Retired and Of Counsel

March 21, 2016

The Hon. Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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SC Court of Appeals

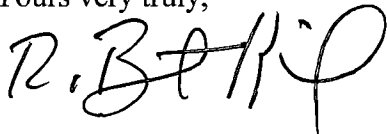
Re: The State v Arthur William Macon, Appellate Case No. 2014-2126

Dear Ms Kitchings:

Enclosed you will please find the Appellant's Designation of Matter, Motion to Extend Time to File Initial Brief and Certificate of Service. We also include the filing fee of \$25.00. We request that you stamp the copy with the date and time of filing and return it to us in the stamped envelope provided for your convenience. Please call me at 803-413-5676 with any questions. By copy of this letter, we are serving a copy on Counsel for the State of South Carolina.

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