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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of General Sessions

Daniel Dewitt Hall, Circuit Court Judge

Appellate Case No. 2015-001409

RECEIVED

JAN 15 2016

SC Court of Appeals

State of South Carolina,

Appellant,

v.

Charles Todd Burns,

Respondent.

MOTION FOR EXTENSION OF TIME

Pursuant to Rules 240 and 263(b), S.C.A.C.R., the Respondent, by his counsel herein, moves this Court for an order granting him an extension of time in which to file the Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal in the matter above, on the grounds stated below:

1. Present Counsel for the Respondent, Michael L. Brown, Jr., received the Initial Brief of the Appellant, mailed on November 13, 2015, its receipt unstamped (and thus undated), on or before December 4, 2015.
2. Present Counsel for the Respondent had, with the Respondent's prior agreement, agreed to his substitution as counsel by John Martin Foster, whose experience in appellate matters is extensive. A Petition under Rule 264, S.C.A.C.R. for substitution has now, or shortly will be, filed.
3. As of this date, the ruling of the Court as to Mr. Brown's substitution has not

reached counsel for Movant below-signed.

4. Mr. Foster, as prospective counsel, is also prevented from filing the Respondent's Initial Brief and Designation of Matter owing to the press of business in his office.

The basis of this Motion is the within-cited Rules, the records of this appeal, which items are hereby incorporated in this Motion.

WHEREFORE, the Respondent herein moves this Court for an extension of time for a period of thirty (30) days in which to file the Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal, or until such reasonable time after this Court's ruling upon the Petition for Substitution of Counsel..

January 13, 2016

Michael L. Brown, Jr.  
Post Office Box 1025  
Rock Hill, SC 29731  
803 328-8822

John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
(803) 324-8100  
Attorneys for Respondent

By:  \_\_\_\_\_

Other Counsel of Record:

William M. Blitch, Jr.  
Assistant Attorney General  
Office of the Attorney General  
Post Office Box 11549  
Columbia, S. C. 29211  
Attorney for Appellant  
(803) 734-3970

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM YORK COUNTY  
Court of General Sessions

Daniel Dewitt Hall, Circuit Court Judge

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Appellate Case No. 2015-001409

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State of South Carolina,

Appellant,

v.

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CERTIFICATE OF SERVICE

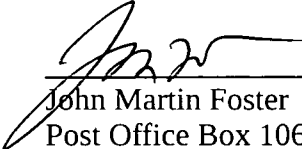
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I certify that I have served the Respondent's Motion for Extension of Time dated January 13, 2016, on the following counsel or persons of record:

William M. Blich, Jr.  
Assistant Attorney General  
Office of the Attorney General  
Post Office Box 11549  
Columbia, S. C. 29211

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262(b), S.C.A.C.R.

January 13, 2016

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
803 324-8100  
Attorney for Respondent

RECEIVED

JAN 15 2016

SC Court of Appeals

JOHN MARTIN FOSTER

*Attorney at law*

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The Guardian Building	PO Box 106	803 324 8100
223 East Main Street Suite 520	Rock Hill SC	803 324 8109 Fax
Rock Hill South Carolina 29730	29731-6106	jmfoster@comporium.net

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January 13, 2016

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

**RECEIVED**  
JAN 15 2016  
SC Court of Appeals

Re: State of SC, Appellant,  
v. Charles Todd Burns, Respondent  
Appellate Case No. 2015-001409

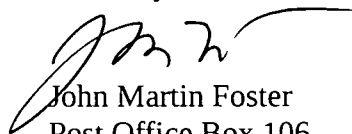
Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of the Respondent's Motion for Extension of Time, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

By copy of this letter, I am serving the attorney for the Respondent with copies of the said Motion, as evidenced by the Certificate of Service.

Please return the extra conformed copy to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely,



John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
803 324-8100  
Attorney for Respondent

jmf/  
enclosures

cc: William M. Blich, Jr.  
Assistant Attorney General  
Office of the Attorney General  
Post Office Box 11549  
Columbia, S. C. 29211  
Attorney for Appellant  
(803) 734-3970