

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**  
MAY 25 2016  
SC Court of Appeals

APPEAL FROM RICHLAND COUNTY

R. Knox McMahon, Circuit Court Judge

Case No. 2012-CP-29-616

The State, ..... Respondent,

v.

Devatee Tymar Clinton, ..... Appellant.

**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR REHEARING**

Appellant Devatee Tymar Clinton respectfully moves this Court for an extension of time in which to file its Petition for Rehearing pursuant to Rules 221(a) and 240, SCACR. In support of this Motion, Appellant states as follows:

1. This Court filed an unpublished opinion in the above-captioned matter, No. 2016-UP-206, on May 11, 2016, affirming Appellant’s conviction pursuant to Rule 220(b), SCACR, and listed authorities.

2. A petition for rehearing is due to be filed on or before May 26, 2016. Counsel for Appellant Clinton respectfully requests an extension of time of thirty (30) days within which to file a Petition for Rehearing. The basis for Appellant’s request are Appellant’s counsel’s work schedule conflicts coinciding with the current due date for the petition.

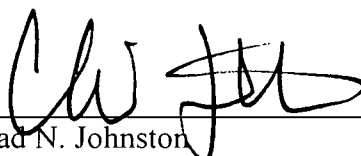
3. This request is made in good faith, and not for purposes of delay.

4. If the Court grants this request, Counsel for Appellant calculates that Appellant will have until June 27, 2016 in which to file a Petition for Rehearing.

4. Counsel for Appellant has consulted with Counsel for the State, and I am authorized to report that the State consents to this request.

Counsel for Appellant Mr. Clinton therefore respectfully requests that the Court grant this Motion and extend the time for filing a Petition for Rehearing until June 27, 2016.

Respectfully submitted,



Chad N. Johnston

**WILLOUGHBY & HOEFER, P.A.**

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Robert M. Dudek

Chief Appellate Defender

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Counsel for Appellant

Devatee Tymar Clinton

Columbia, South Carolina  
May 25, 2016

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LANCASTER COUNTY  
R. Knox McMahon, Circuit Court Judge

Appellate Case No. 2014-000594

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MAY 25 2016

SC Court of Appeals

The State, ..... Respondent,

v.

Devatee Tymar Clinton, ..... Appellant.

**PROOF OF SERVICE**

This is to certify that I, a paralegal with the law firm Willoughby & Hoefler, P.A., have caused to be served this day one (1) copy of the **Motion for Extension of Time** by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

Robert M. Dudek  
Chief Appellate Defender  
SOUTH CAROLINA COMMISSION ON  
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William E. Salter, III  
Senior Assistant Attorney General  
South Carolina Attorney General's Office  
1000 Assembly Street  
Columbia, S.C. 29201

Breanna Karns  
Breanna M. Karns

Columbia, South Carolina  
This 25th day of May 2016

**WILLOUGHBY & HOEFER, P.A.**

ATTORNEYS & COUNSELORS AT LAW  
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\*ALSO ADMITTED IN TX  
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May 25, 2016

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

Re: *The State v. Devatee Clinton*;  
Appellate Case No. 2014-000594

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the **Motion for Extension of Time** to file the Petition for Rehearing of the Court's May 11, 2016 Opinion, No. 2016-UP-206, of Appellant Devatee Clinton, along with a Certificate of Service. I have communicated with opposing counsel and obtained their consent regarding this request. By my calculation, with the requested extension I calculate that the Petition for Rehearing would be due June 27, 2016. Please file-stamp the extra copy and return it via my courier.

Thank you for your time and consideration. If you have any questions or if you need any additional information, please do not hesitate to contact me.

Very truly yours,

**WILLOUGHBY & HOEFER, P.A.**

  
Chad Johnston

Enclosures

cc: Robert M. Dudek, Esquire (via U.S. Mail)  
William E. Salter, III, Esquire (via U.S. Mail)  
Devatee Clinton (via U.S. Mail)