

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Honorable Thomas A. Russo, Circuit Court Judge
Appellate Case No. 2015-000323

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JUL 11 2016

SC Court of Appeals

RAPHAEL LAMARR PONTOO,

APPELLANT,

vs.

THE STATE,

RESPONDENT.

MOTION FOR EXTENSION OF TIME TO SERVE AND FILE THE REPLY BRIEF OF
APPELLANT

Appellant, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Reply Brief of Appellant is due to be filed and served July 12, 2016. There have been no previous requests for extension for the Reply Brief.

II.

In compliance with extensions granted, The State timely filed the Initial Brief in this matter on July 1, 2016. Due to the Independence Day holiday, the undersigned did not receive the Brief until near close of business on July 5, 2016. The State has filed a very thorough brief that demands close analysis to determine the necessity, scope, and composition of a reply brief.

Given that the undersigned has continuing responsibilities stemming from his current case load, most of the work on this Appellate Practice project necessarily takes place in the evenings and on the weekends. In the interest of providing the best client representation possible, and to craft an appropriate reply to the State's Initial Brief, the undersigned respectfully requests an extension to file the Reply Brief.

The undersigned has contacted counsel for the State, Mark Farthing, and he has kindly indicated that the State has no objection to an extension for the Appellant to file the Reply Brief. I would therefore request an extension of time within which to serve and file the Reply Brief of Appellant.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Reply Brief is properly researched and prepared.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Reply Brief of Appellant in this matter for ten (10) days; hold the matter in abeyance pending a ruling on the Appellant's motion; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,



DONALD L. MCCUNE, JR.
Associate Attorney, Savage Law Firm
Bar # 76626

ATTORNEY FOR APPELLANT

July 8, 2016

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Lexington County
Honorable Thomas A. Russo, Circuit Court Judge
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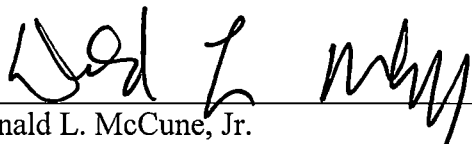
RESPONDENT.

PROOF OF SERVICE

I, Donald L. McCune, Jr., certify that I have served the Motion for Extension of Time to Serve and File the Reply Brief of Appellant on Respondent by depositing two copies of the same in the United States mail, postage prepaid, addressed to the State's attorney of record:

Mark L. Farthing, Esquire
Assistant Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.



Donald L. McCune, Jr.
Associate Attorney, Savage Law Firm
Bar No: 76626

This 8th day of July, 2016

SAVAGE LAW FIRM
15 PRIOLEAU STREET
CHARLESTON, SC 29401
TEL. (843) 720-7470 FAX (843) 720-7478
<http://www.savlaw.com>
Video Conferencing Address: 165.166.223.197

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SC Court of Appeals

ANDREW J. SAVAGE, III
Certified Criminal Trial Advocate - NBTA

J. SCOTT BISCHOFF, II
DONALD L. MCCUNE, JR.

July 8, 2016

VIA U.S. MAIL

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

RE: State v. Raphael Lamar Pontoo
Appellate Case Number: 2015-000323

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Motion for Extension of Time in which to Serve and File the Reply Brief of Appellant, along with Proof of Service, for filing in the above-referenced appeal.

With best wishes, I remain

Sincerely,

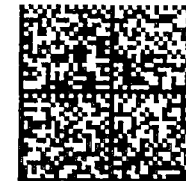


Donald L. McCune, Jr.
Bar Number 76626

DLM/lms

Enc.: Motion for Extension of Time with Proof of Service; original and six copies

cc: Mark R. Farthing, Esquire



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Savage Law Firm

15 Prioleau Street
Post Office Box 1002
Charleston, SC 29402



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

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