

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Laurens County
Honorable Eugene C. Griffith, Circuit Court Judge
Appellate case Tracking No. 2012-212013

The State,

Appellant,

vs.

Raymond Franklin,

Respondent.

**MOTION FOR THIRD EXTENSION OF TIME
WITHIN WHICH TO SERVE AND FILE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER**

I.

The Initial Brief of Appellant and Designation of Matter are due to be served and filed on November 1, 2012.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Appellant moves for a third extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Brief on time. The undersigned has completed briefs in State v. Barton, State v. Dumas, State v. D. Rogers, State v. Henkel, State v. Horry, State v. Carter, State v. Rhoad, State v. B. Rogers, and State v. Collington.

The undersigned has completed a Petition for Writ of Certiorari in State v. Hawes, State v. Miller, and State v. Kinloch, as well as a Return to the Petition for Writ of Certiorari in State v. Epting, State v. Cameron, and State v. Leggette. The undersigned has completed a Brief of Respondent in In the Matter of the Care and Treatment of Simmons and State v. Hercheck. Further, the undersigned has participated in oral argument at the Court of Appeals in State v. Pradubsri, State v. Bonner, State v. Donahue, and State v. Samuel, and in the Supreme Court in State v. Kromah and State v. Sanders, and State v. Harrison.

III.

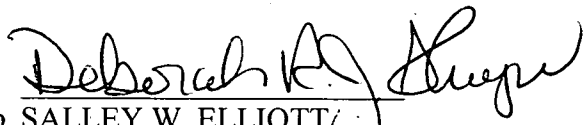
This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. The undersigned hopes to have the Initial Brief completed in a timely manner. I would therefore request a third extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter.


WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Appellant and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General


for SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General


WILLIAM M. BLITCH, JR.
Assistant Attorney General
S.C. Bar No. 15608
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

November 1, 2012

STATE OF SOUTH CAROLINA

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PROOF OF SERVICE

I, Ellen R. DuBois, certify that I have served the Motion For Third Extension Of Time Within Which To Serve And File Initial Brief Of Appellant And Designation Of Matter on Respondent by depositing a copy of same in the United States mail, postage prepaid, addressed to:

James E. Bryan, Jr., Esquire
Post Office Box 756
Laurens, SC 29360

I further certify that all parties required by Rule to be served have been served.
This 1st day of November, 2012.

Ellen R. DuBois

ELLEN R. DuBOIS
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

November 1, 2012

VIA HAND DELIVERY

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

Re: State v. Raymond Franklin
Appellate Case Tracking No. 2012-212013

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion For Third Extension Of Time Within Which To Serve And File Initial Brief Of Appellant And Designation Of Matter along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General
S.C. Bar No. 15608

Enclosures

cc: James E. Bryan, Jr., Esquire
Victim Services