

**MOTION TO FILE OUT OF TIME AND MOTION FOR AN EXTENSION OF  
TIME TO FILE AN AMENDED DESIGNATION OF MATTER AND INITIAL BRIEF**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
In the Court of General Sessions

R. Keith Kelly, Circuit Court Judge

Appellate Case No.: 2015-000517

**RECEIVED**

AUG 26 2016

SC Court of Appeals

The State of South Carolina,

Respondent,

v.

Courtney Ray Mitchell,

Appellant.

**MOTION TO FILE OUT OF TIME AND MOTION FOR AN EXTENSION OF  
TIME TO FILE AN AMENDED DESIGNATION OF MATTER AND INITIAL BRIEF**

Appellant respectfully moves to file late an Amended Designation of Matter and an Amended Designation of Matter Amended Initial Brief of the Appellant and an based on the need to address the matters previously designated by the Appellant, and objected to by Respondent. It is Appellant's belief that granting these respectful requests will not prejudice the State in any way.

Appellant prays that this Honorable Court grants the motion to file out of time and motion for an extension of time to file the Amended Designation of Matter and Amended Initial Brief in the above-referenced Appellate matter.



Donald L. Smith (Bar #: 6699)

Attorney for Appellant

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August 23, 2016

FORM 7  
PROOF OF SERVICE OF MOTION TO FILE OUT OF TIME AND  
MOTION FOR EXTENSION OF TIME TO FILE OF APPELLANT

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
In the Court of General Sessions

Keith Ralph Kelly, Circuit Court Judge

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SC Court of Appeals

Appellant Case No.: 2015-000517

The State of South Carolina,

Respondent,

v.

Courtney Ray Mitchell,

Appellant.

PROOF OF SERVICE

I certify that I have served a Motion to File Out of Time, Motion for Extension of Time to File, and Proof of Service on The Honorable Jenny Abbott Kitchings, Clerk of Court South Carolina Court of Appeals, PO Box 11629, Columbia SC 29211 and Office of the Attorney General, Attn: Jennifer Ellis Roberts, Assistant Attorney General, PO Box 1154 Columbia SC 29211 by depositing a copy in the United States Mail, postage prepaid, on August 23, 2016, to the addresses listed above.



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August 23, 2016

**FORM 8**  
**LETTER TO THE APPELLATE COURT CLERK FILING MOTION**  
**FOR EXTENSION OF TIME AND MOTION TO FILE OUT OF TIME**

August 23, 2016

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

**RECEIVED**  
AUG 26 2016  
SC Court of Appeals

RE: The State of South Carolina v. Courtney Ray Mitchell  
Appellate Case No.: 2015-000517

Dear Ms. Kitchings:

Please find enclosed the following materials for filing in the above-referenced Appellate matter:

- (1) Appellant's Motion to File Out of Time;
- (2) Appellant's Motion for Extension of Time to File; and
- (3) Proof of Service for same.

Sincerely,



Donald L. Smith, Esquire (SC Bar#6699)  
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Other Counsel of Record:

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Assistant Attorney General  
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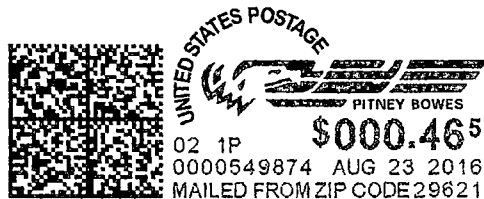
Attorney Office of Donald Smith  
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Anderson SC 29621

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**RECEIVED**

AUG 26 2016

SC Court of Appeals

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

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