

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From York County
Court of General Sessions

Honorable John C. Hayes, III, Circuit Court Judge

Appellate Case No. 2016-000875

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SEP 09 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA,

Appellant,

vs.

SEAN ROBERT KELLY,

Respondent.

**MOTION TO RELAX RULE 208(a)(3), SCACR
AND PERMIT FILING OF THE
APPELLANT'S INITIAL REPLY BRIEF OUT OF TIME**

Pursuant to Rule 208(a)(3), SCACR, Appellant, by and through undersigned counsel, hereby moves this Honorable Court for an Order Relaxing Rule 208(a)(3), SCACR, and allow late filing of the Initial Reply Brief of Appellant. Appellant would respectfully show to this Honorable Court as follows:

1. The Initial Reply Brief of Appellant was due to be filed and served on September 6, 2016. However, due to a calendaring oversight, the brief was not timely filed and served. Therefore, Appellant respectfully requests that this Court relax Rule 208(a)(3), SCACR and permit filing of the Initial Reply Brief of Appellant out of time.

2. Appellant has prepared the Initial Reply Brief and will be filed simultaneously with this motion.

WHEREFORE, have made the Motion to Relax Rule 208(a)(3), SCACR and permit filing of the Initial Reply Brief of Appellant out of time, Appellant would respectfully request this Court to grant the motion and permit the filing of the Appellant's Initial Reply Brief out of time.

Respectfully submitted,

ALAN WILSON
Attorney General

RANEE SAUNDERS
Assistant Attorney General
S.C. Bar No. 100073

KEVIN BRACKETT
Solicitor, Sixteenth Judicial Circuit

BY: 

Ranee Saunders

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

September 9, 2016

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From York County
Court of General Sessions

Honorable John C. Hayes, III, Circuit Court Judge

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SC Court of Appeals

Appellate Case No. 2016-000875

THE STATE OF SOUTH CAROLINA,

Appellant,

vs.

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Respondent.

PROOF OF SERVICE

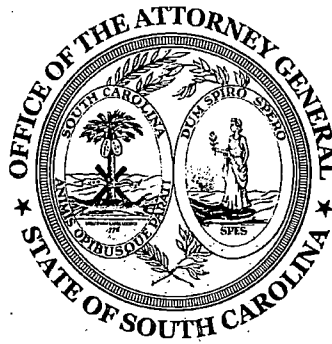
I, Angela Bennett, certify that I have served the Motion to Relax Rule 208(a)(3), SCACR and permit filing of Initial Reply Brief of Appellant on Respondent by depositing a copy of the same in the United States mail, postage prepaid, addressed to: Heath P. Taylor, Esquire, 3618 Sunset Blvd., Suite D, West Columbia, SC 29169.

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

This 9th day of September, 2016.



ANGELA BENNETT
Administrative Assistant
Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

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SC Court of Appeals

September 9, 2016

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

Re: The State v. Sean Robert Kelly
Appellate Case No: 2016-00875

Dear Ms. Kitchings:

Enclosed for filing are the original and six copies of Appellant's Motion to Relax Rule 208(a)(3), SCACR and permit filing of Initial Reply Brief of Appellant in the above-referenced case.

Sincerely,

Ranee Saunders
Assistant Attorney General
S.C. Bar No. 100073

RS/ab
Enclosures

cc: Heath P. Taylor, Esquire
Ms. Trisha Allen