

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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SEP 14 2016

SC Court of Appeals

APPEAL FROM YORK COUNTY  
Court of General Sessions

The Honorable J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2015-000305

State of South Carolina, .....Respondent,

v.

Justin Faile, .....Appellant.

**MOTION FOR SECOND EXTENSION  
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

Respondent, through its undersigned counsel, would respectfully show unto this Court:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on September 15, 2016. 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, Respondent moves for a second extension in the above referenced appeal. Due to work required in other cases pending before this Court, the South Carolina Supreme Court, and the Court of Common Pleas, I am unable to complete this Brief on time. The undersigned has completed numerous appellate filings (returns to petitions for writ of certiorari and an initial brief) and post-trial

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matters in circuit court over the last several weeks.

II.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would therefore request a second extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

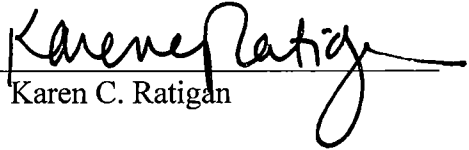
WHEREFORE, Respondent prays the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and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

Respectfully submitted,

ALAN WILSON  
Attorney General

KAREN C. RATIGAN  
Senior Assistant Attorney General  
S.C. Bar # 68331

By: \_\_\_\_\_

  
Karen C. Ratigan

Post Office Box 11549  
Columbia, S.C. 29211  
803-734-3737

ATTORNEYS FOR RESPONDENT

September 14, 2016

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM YORK COUNTY  
Court of General Sessions

SEP 14 2016  
SC Court of Appeals

The Honorable J. Mark Hayes, II, Circuit Court Judge

Appellate Case No. 2015-002435

State of South Carolina, .....Respondent,

v.

Gregory Fielder, .....Appellant.


**PROOF OF SERVICE**

I, Karen C. Ratigan, certify that I have today served the within Motion for a Second Extension to Serve and File Initial Brief of Respondent and Designation of Matter upon Appellant by depositing a copy of the same in the United States mail, postage prepaid, addressed to:

Tara M. Edwards-Vitollo, Esquire  
Vitollo Law Firm, LLC  
Post Office Box 42282  
North Charleston, SC 29423

Robert M. Dudek, Esquire  
S.C. Comm'n on Indigent Defense  
Post Office Box 11589  
Columbia, SC 29211-1589

I further certify that all parties required by Rule to be served have been served. This 14th day of September, 2016.

  
KAREN C. RATIGAN  
S.C. Bar # 68331  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737  
ATTORNEY FOR RESPONDENT



ALAN WILSON  
ATTORNEY GENERAL

September 14, 2016

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HAND DELIVERY

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

**Re: The State v. Justin Dru Faile, Appellate Case No. 2015-000305**

Dear Ms. Kitchings:

The Initial Brief of Respondent and Designation of Matter in the above-referenced criminal appeal are due to be served and filed Thursday, September 15, 2016. However, due to a heavy workload, I am requesting a thirty-day extension in which to serve these documents. This is a second extension request in this case, and it is not intended for the purpose of delay

I appreciate your consideration of this request and ask that the filing deadlines be held in abeyance while this request is pending.

By copy of this letter, I am informing counsel for Appellant of this extension request.

Sincerely,

Karen C. Ratigan  
Senior Assistant Attorney General  
S.C. Bar No: 68331

KCR/kc

cc: Tara M. Edwards-Vitollo, Esquire  
Robert Dudek, Esquire  
Victim Services