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SEP 16 2016
SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
The Honorable J. Cordell Maddox, Jr., Circuit Court Judge

Appellate Case No. 2015-000211

THE STATE,

APPELLANT,

v.

FREDERICK SCOTT PFEIFFER,

RESPONDENT.

**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE THE RECORD ON APPEAL**

Appellant (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Record on Appeal is due to be served and filed on today’s date, September 14, 2016.

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 State moves for a **third** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the record in this case. The undersigned has a heavy workload and has been diligently working on several matters including a substantial State Grand Jury matter.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Record on Appeal is properly prepared. The undersigned is currently assembling the Record on Appeal and a potential Supplemental Record (or in the alternative a Motion to Amend the Designation of Matter) in this case and hopes to have it completed in a timely manner. The State would therefore request an extension of time within which to serve and file the Record on Appeal.

WHEREFORE, the State prays that the Court extend the deadline for the service and filing of the Record on Appeal in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on the State's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

BRIAN T. PETRANO
Assistant Attorney General
S.C. Bar 074244

By: 

Brian T. Petrano, AAG

By: 

C. Creighton Waters, ADAG
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

September 14, 2016

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FREDERICK SCOTT PFEIFFER,

RESPONDENT.

PROOF OF SERVICE

I, Brian T. Petrano, certify that I have served the within Motion for Third Extension of Time Within Which to Serve and File the Record on Appeal by depositing a copy of the same in the United States mail, postage prepaid, addressed to the Respondent's two (2) attorneys of record:

Mr. William G. Yarborough, III
William G. Yarborough III, Attorney at Law, LLC
522 North Church Street
Greenville, SC 29601

Mr. Ralph Gleaton
Gleaton Wyatt, PA
935 South Main Street Ste 203
Greenville, SC 29601-3314

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



BRIAN T. PETRANO
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727



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ALAN WILSON
ATTORNEY GENERAL

September 14, 2016

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

RE: The State v. Frederick S. Pfeiffer, Appellate Case No. 2015-000211

Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Motion for Third Extension of Time within Which to Serve and File the Record on Appeal, along with proof of service, for filing in the above-referenced appeal.

Sincerely,

Brian T. Petrano
Assistant Attorney General
S.C. Bar Number 074244

cc: Mr. William G. Yarborough, III
William G. Yarborough III, Attorney at Law, LLC
522 North Church Street
Greenville, SC 29601

Mr. Ralph Gleaton
Gleaton Wyatt, PA
935 South Main Street
Ste 203
Greenville, SC 29601-3314

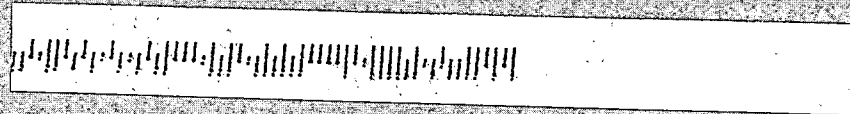
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The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
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ATTN: STATE GRAND JURY