

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of General Sessions

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

**RECEIVED**

OCT 17 2016

SC Court of Appeals

Appellate Case No. 2015-000305

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

v.

Justin Faile, ..... Appellant.

**MOTION FOR THIRD 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 October 17, 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 third and final extension in the above referenced appeal. Due to both the events surrounding Hurricane Matthew and the 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 numerous appellate filings in the past several weeks.

II.

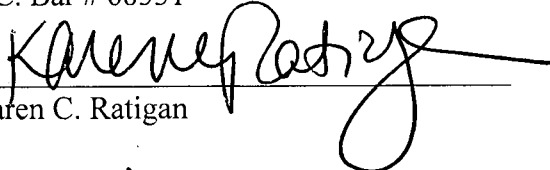
This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would therefore request a third and final extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

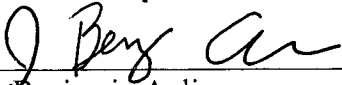
WHEREFORE, Respondent prays the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and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

  
\_\_\_\_\_  
Karen C. Ratigan

  
\_\_\_\_\_  
J. Benjamin Aplin  
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Office of the Attorney General  
P.O. Box 11549  
Columbia, S.C. 29211  
(803) 734-3737

ATTORNEYS FOR RESPONDENT

October 17, 2016

STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of General Sessions

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

Appellate Case No. 2015-002435

**RECEIVED**

OCT 17 2016

SC Court of Appeals

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

v.

Gregory Fielder, .....Appellant.

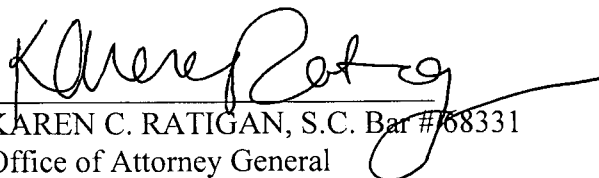
**PROOF OF SERVICE**

I, Karen C. Ratigan, certify that I have today served the within Motion for a Third 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 17th day of October, 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

October 17, 2016

**RECEIVED**  
OCT 17 2016  
SC Court of Appeals

**VIA HAND-DELIVERY**

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

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

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a **Motion for Third Extension to Serve and File Initial Brief of Respondent and Designation of Matter**, along with proof of service, in the above-referenced appeal.

Sincerely,

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

Enclosures

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