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OCT 27 2016

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM FLORENCE COUONTY
THE HONORABLE G. THOMAS COOPER, CIRCUIT COURT JUDGE
APPELLATE CASE NO. 2016-000176

THE STATE,

Respondent,

v.

DEMETRIK MAURICE CEASER,

Appellant.

**MOTION FOR FIFTH AND FINAL EXTENSION TO FILE
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

Respondent, State of South Carolina, hereby moves for a fifth and final extension of time to file the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal. In support of this motion, Respondent submits the following:

1. The Initial Brief of Respondent and Designation of Matter is due to be filed and served October, 28, 2016, pursuant to a fourth extension. Respondent requests a fifth and final 30-day extension to serve and file these documents, which is not made for the purpose of delay, but due to counsel's significant absences from the office relating to a work related injury. Counsel is on a medically required work restrict, and is only able to work a few hours per day when possible.



2. Counsel has worked on the Initial Brief and Designation in this matter. However, counsel is also waiting to receive a number of State's Exhibits that must be reviewed before she can finalize the Respondent's brief. Counsel assures the Court completion of this brief is a high priority, and she will work diligently to complete it.


3. The undersigned consulted with counsel for the Appellant, and she has been authorized to advise the Court counsel for Appellant consents to the requested relief.

Based on the foregoing, Respondent respectfully requests that this Court grant a fifth and final 30-day extension in which to file the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this motion.

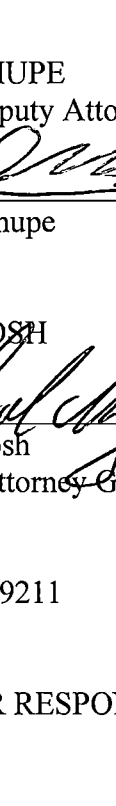
Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

By: 
For Deborah R.J. Shupe

JOHN W. MCINTOSH

By: 
John W. McIntosh
Chief Deputy Attorney General

P.O. Box 11549
Columbia, SC 29211
(803) 734-3797

ATTORNEYS FOR RESPONDENT

October 27, 2016

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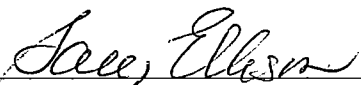
PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion for Fifth and Final Extension to file the Initial Brief of Respondent and Designation of Matter, on Appellant, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

Lara M. Caudy, Esquire
Appellate Defender
SC Commission on Indigent Defense
P.O. Box 11589
Columbia, SC 29211-1589

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

This 27th day of October, 2016.


Sally Ellison
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3970



ALAN WILSON
ATTORNEY GENERAL

October 27, 2016

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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. Demetrik Maurice Ceaser
Appellate Case No. 2016-000176

Dear Ms. Kitchings:

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

Sincerely,

for Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

DRJS/sbe
Enclosures

cc: Lara M. Caudy, Esquire (w/enclosure)
Victim Services (w/enclosure)