

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
The Honorable Robert E. Hood, Circuit Court Judge

Appellate Case No. 2016-000340

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JAN 03 2017

SC Court of Appeals

THE STATE,

Respondent,

vs.

HOLLY JO THOMPSON,

Appellant.

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

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due today, January 3, 2017, upon this Court's grant of Respondent's first request for an extension filed on December 2, 2016.

The undersigned attorney for the Respondent has had a number of state and federal matters to attend since December 2, 2016. Specifically,

1. Counsel prepared Respondent's Response in Opposition to Petitioner's Objections to Report and Recommendation [ECF #38] in the matter of Mark McCoy, #210705 vs. Warden Cartledge, C/A No. 4:16-638-HMH-TER on December 2, 2016;

2. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Antoine F. Chestnut, #295641 vs. Warden Lieber Correctional Institution, C/A No. 6:16-2912-TMC-KFM on December 9, 2016;

3. Counsel filed the Final Brief of Respondent in the matter of The State vs. Bobby Joe Arflin, an Anderson County murder appeal matter now pending before this court;

4. Counsel has nearly completed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Orlando Parker, #346628 vs. Bryan Stirling, C/A No. 1:16-3527-RMG-SVH; and

5. Counsel has also spent a significant amount of time reviewing the transcript and researching the issue in preparation for drafting the Initial Brief of Respondent in this matter.

However, due to counsel's involvement in these and other matters pending in state and federal court, counsel is unable to timely complete the Initial Brief of Respondent in this proceeding. Thus, counsel is requesting an extension of time in which to file the Initial Brief in this matter. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

Respectfully Submitted,

ALAN WILSON
Attorney General

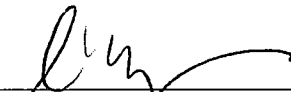
J. ROBERT BOLCHOZ
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(803) 734-6305

By:



SHERRIE A. BUTTERBAUGH

ATTORNEYS FOR RESPONDENT

January 3, 2017.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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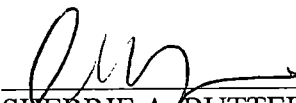
SC Court of Appeals

PROOF OF SERVICE

I, Sherrie A. Butterbaugh, of counsel for the Respondent, certify that I have served two (2) copies of the within motion for a second extension to file Initial Brief of Respondent and Designation of Matter via U.S. mail to her attorney of record, Kathrine H. Hudgins, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201.

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

This 3rd day of January, 2017.



SHERRIE A. BUTTERBAUGH
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(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

January 3, 2017

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SC Court of Appeals

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

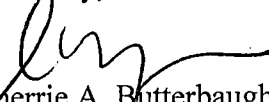
Re: *The State v. Holly Jo Thompson*
Appeal from Richland County
Appellate Case No. 2016-000340

Dear Ms. Kitchings:

I hereby request an extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. The Initial Brief is currently due to be served and filed today, January 3, 2017. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the Initial Brief.

Therefore, I am enclosing an original and six (6) copies of a Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter. I am informing opposing counsel of my request by copy of this letter.

Sincerely,


Sherrie A. Butterbaugh
Assistant Attorney General

SB/dmd

Enclosures

cc: Kathrine H. Hudgins, Esq. (w/two copies of encls.)