

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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MAR 01 2017

SC Court of Appeals

Appeal from Horry County
Honorable Steven H. John, Circuit Court Judge
Appellate Case No. 2016-000708

THE STATE,

RESPONDENT,

v.

HASSAN TYLER,

APPELLANT.

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

Respondent, State of South Carolina, through its undersigned counsel, would respectfully show unto this Court as follows:

1. The Initial Brief of Respondent and Designation of Matter are due to be served and filed March 1, 2017, after two previously granted extensions.
2. The undersigned requests a third 30-day extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter in this appeal.
3. The undersigned is presently on a medically required work restriction due to a work related injury and can only work a few hours per day when possible. In addition, to her medical work restriction and limited number of work hours, the undersigned is also preparing a Brief in Opposition to the Petition for Writ of Certiorari to the Supreme Court of South Carolina in Bryan



Rearick v. State of South Carolina, No. 16-7406, filed with the Supreme Court of the United States. The Brief in Opposition is due on March 6, 2017.

4. The undersigned assures the Court completion of the brief is a high priority, and she will work diligently to complete it.

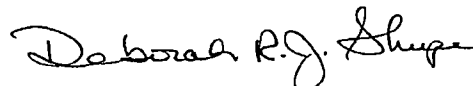
5. The undersigned consulted with counsel for the Appellant, and she is authorized to advise the Court that counsel for the Appellant consents to the requested relief.

Based on the foregoing, Respondent respectfully requests that this Court hold this matter in abeyance pending a resolution of this motion, and grant the Respondent's request for a 30-day extension to file and serve the Initial Brief of Respondent and Designation of Matter in this appeal.

Respectfully submitted,

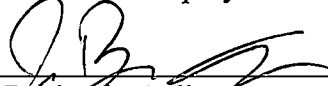
ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General



By: _____
Deborah R.J. Shupe

J. BENJAMIN APLIN
Senior Assistant Deputy Attorney General



By: _____
J. Benjamin Aplin

Office of the Attorney General
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ATTORNEYS FOR RESPONDENT

March 1, 2017

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Honorable Steven H. John, Circuit Court Judge
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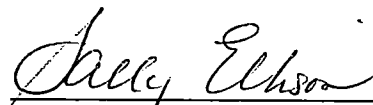
PROOF OF SERVICE

I, Sally Ellison, certify I served the Motion for Third Extension on Appellant by depositing a copy in the United States mail, postage prepaid, addressed to:

John H. Strom
Appellate Defender
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

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

This 1st. day of March, 2017.



SALLY ELLISON
Legal Assistant

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211



ALAN WILSON
ATTORNEY GENERAL

March 1, 2017

HAND DELIVERY

The Honorable Jenny A. Kitchings
Clerk of Court, SC Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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MAR 01 2017

SC Court of Appeals

RE: State v. Hassan Tyler
Appellate Case No. 2016-000708

Dear Ms. Kitchings:

Enclosed are an original and seven (7) copies of a Motion for Third Extension to Serve and File Initial Brief of Respondent and Designation of Matter with proof of service in the above-referenced appeal.

Sincerely,

Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

DRJS/sbe
Enclosures

cc: John H. Strom, Esquire (w/enclosure)
Victim Services (w/enclosure)