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MAR 16 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal From Sumter County
The Honorable William Jeffrey Young, Circuit Court Judge

STATE OF SOUTH CAROLINA,

Respondent,

vs.

FAVIAN A. HAYES,

Appellant.

Appellate Case No: 2009-129706

MOTION FOR EXTENSION OF TIME

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to the Court today, pursuant to a previous extension granted by the Court.

II.

Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.


WHEREFORE, Respondent prays that the Court 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; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General



J. BENJAMIN APLIN
Senior Assistant Deputy Attorney General



DAVID SPENCER
Senior Assistant Attorney General
S. C. Bar No: 68571

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

March 15, 2017

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal From Sumter County
The Honorable William Jeffrey Young, Circuit Court Judge

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SC Court of Appeals

STATE OF SOUTH CAROLINA,

Respondent,

vs.

FAVIAN A. HAYES,

Appellant.


Appellate Case No: 2009-1269706

PROOF OF SERVICE

I, Anne Mueller, certify that I have served the Motion for Extension of Time on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorney of record, John H. Strom, Esquire, South Carolina Commission of Indigent Defense, Office of Appellate Defense, P.O. Box 11589, Columbia, South Carolina 29211.

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

This 15th day of March, 2017.


Anne A. Mueller
Legal Assistant for the Respondent

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3737



ALAN WILSON
ATTORNEY GENERAL

March 15, 2017

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S.C. SUPREME COURT

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29201

RE: State v. Favian A. Hayes
Appellate Case No: 2009-126706

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SC Court of Appeals

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of the Motion for Extension of Time in the above matter.

Sincerely,

David Spencer
Senior Assistant Attorney General
S.C. Bar No: 68571

DS/aam
Enclosures

cc: John H. Strom, Esquire (w/enclosures)
Victim Service (w/enclosures)

J