

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
The Honorable Kristi Lea Harrington, Circuit Court Judge

THE STATE OF SOUTH CAROLINA,

RESPONDENT,

v.

JEFFREY HERRMANN,

APPELLANT.

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SC Court of Appeals

MOTION FOR SECOND EXTENSION TO FILE
FINAL BRIEF OF RESPONDENT

The undersigned counsel would respectfully request a twenty (20) day extension in which to file the Final Brief of Respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

The Final Brief of Respondent is due today, November 19, 2012, upon this Court's grant of Respondent's first request for an extension filed on October 30, 2012. As was noted in Respondent's initial request for an extension, it appeared that some pages were inadvertently excluded from the Record on Appeal. Counsel for Respondent has been in communication with counsel for Appellant regarding this issue, and the Record on Appeal is in the process of being corrected to include the missing pages. However, until the amended Record on Appeal is filed, Respondent cannot finalize and file the Final Brief of Respondent. Thus, Respondent respectfully requests an extension of time in which to file the Final Brief

of Respondent. Counsel for Respondent has spoken with counsel for Appellant about this request, and counsel for Appellant has indicated she has no objection to this motion. This request is made in good faith, and not for the purposes of delay.

WHEREFORE, premises considered, counsel hereby respectfully requests a twenty (20) day extension of time to serve and file the Final Brief of Respondent.

Respectfully submitted,

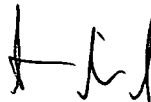
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BY:



ALPHONSO SIMON, JR.

ATTORNEYS FOR RESPONDENT

November 19, 2012.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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THE STATE OF SOUTH CAROLINA,

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APPELLANT.

PROOF OF SERVICE

I, Alphonso Simon, Jr., of Counsel for the Respondent, certify that I have served the within Motion for Extension to File Final Brief of Respondent via U.S. mail to his attorney of record, Kathrine H. Hudgins, Esq., South Carolina Commission on Indigent Defense, Division of Appellate Defense, 1330 Lady St., Ste. #401, Columbia, SC 29201.

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

This 19th day of November, 2012.



ALPHONSO SIMON, JR.
Office of Attorney General
Post Office Box 11549
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(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

November 19, 2012

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

Re: *State v. Jeffrey Herrmann*
Appeal from Charleston County
2nd Extension Request to File Final Brief of Respondent

Dear Ms. Kitchings:

I hereby request an extension of twenty (20) days in which to file the Final Brief of Respondent in the above-referenced case. The Final Brief is currently due to be served and filed today, November 19, 2012.

Therefore, I am enclosing an original and six (6) copies of a Motion for Extension to File Final Brief of Respondent.

Sincerely,

Alphonso Simon, Jr.,
Assistant Attorney General

AS/dmd

Enclosures

cc: Kathrine H. Hudgins, Esq. (w/two 2 copies of encls.)

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SC Court of Appeals