

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
Honorable Robin B. Stillwell
Appellate Case No. 2013-002752

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APR 07 2017

SC Court of Appeals

THE STATE,

Respondent,

v.

MICHAEL LEVANT MEALOR,

Appellant.

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

Respondent, State of South Carolina, hereby moves for a second 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 are due to be filed and served April 7, 2017, pursuant to a first extension. Respondent requests a second 30-day extension to served and file these documents, which is not made for the purpose of delay, but due to counsel's significant absences from the office due to a work related injury. Counsel continues to be on a medically required work restriction, and is only able to work a few hours per day when possible.

2. Counsel has worked on the Initial Brief and Designation of Matter in this matter, but was unable to complete it prior to the due date. 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 is authorized to advise the Court he consents to the requested relief.

Based on the foregoing, Respondent respectfully requests that this Court grant a second 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: Deborah R.J. Shupe
Deborah R.J. Shupe

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

ATTORNEYS FOR THE RESPONDENT

April 7, 2017

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Appellant.


PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion for Second 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:

Ryan C. Andrews, Esquire
Cobb, Dill & Hammett, LLC
300 W. Coleman Blvd., Suite 106
Mt. Pleasant, SC 29464

Robert M. Dudek, Esquire
Chief Appellate Defender
SCCID
PO Box 11433
Columbia, SC 29211

I further certify that all parties required by Rule to be served have been served.
This 7th day of April, 2017


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



ALAN WILSON
ATTORNEY GENERAL

April 7, 2017.

HAND-DELIVERY

The Honorable Jenny A. Kitchings
Clerk, SC Court of Appeals
1220 Senate Street
Columbia, SC 29211

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SC Court of Appeals

Re: The State v. Michael Levant Mealor
Appellate Case No. 2013-002752

Dear Ms. Kitchings:

Enclosed please find an original and seven (7) copies of a Motion for Second Extension to File Initial Brier and Designation of Matter, along with proof of serve for filing, in the above-referenced appeal.

Sincerely,

Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

DRJS/sbe
Enclosures

cc: Ryan C. Andrews, Esquire
Robert M. Dudek, Esquire
Victim Services