

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Appeal from Newberry County
Honorable Donald B. Hocker, Circuit Court Judge
Appellate Case Tracking No. 2016-001639

JUL 26 2017

SC Court of Appeals

State of South Carolina,

Appellant,

vs.

Tony Latrell Kinard,

Respondent.

**MOTION FOR SECOND EXTENSION
TO SERVE AND FILE RECORD ON APPEAL**

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

I.

The Record on Appeal is due to be served and filed July 26, 2017.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Appellant moves for a second extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Record on time. The undersigned has completed several briefs, Returns to Petition for Writ of Certiorari, and Petitions for Rehearing in the last several weeks. Further, the undersigned has participated in multiple oral arguments before the South Carolina Court of Appeals.

III.



This extension request is not intended for purposes of delay, but rather to ensure the Record is properly prepared. If at all possible, the Record will be completed without any further extensions. I would therefore request a second extension of time within which to serve and file the Record on Appeal.

WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Record on Appeal in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Assistant Attorney General

BY: 

William M. Blich, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

July 26, 2017

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PROOF OF SERVICE

I, Anne A. Mueller, certify that I have served the Motion for Second Extension to Serve and File Record on Appeal on Respondent by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Michael V. Laubshire, Esquire
455 St. Andrews Road, Suite E-1
Columbia, South Carolina 29210-4487

Richard J. Dolce, Esquire
Post Office Box 4403
Irmo, South Carolina 29063

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

This 26th day of July, 2017.



ANNE A. MUELLER
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

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July 26, 2017

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

Re: State v. Tony Latrell Kinard
Appellate Case Tracking No. 2016-001639

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion for Second Extension to Serve and File Record on Appeal along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blitch, Jr.
Assistant Attorney General

Enclosures

cc: Michael V. Laubshire, Esquire
Richard J. Dolce, Esquire
Victim Advocacy Division