

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Florence County
The Honorable William H. Seals, Circuit Court Judge

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OCT 23 2017
SC Court of Appeals

THE STATE,

RESPONDENT,

vs.

MYRON CANNON,

APPELLANT.

**MOTION TO FILE INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER OUT OF TIME AND FOR A
30-DAY EXTENSION**

Respondent, State of South Carolina, through its undersigned counsel, hereby moves to file the Initial Brief of Respondent and Designation of Matter out of time and for a 30-day extension to file these documents 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 was due to be filed and served October 19, 2017. However, due to an administrative error, the date to file these documents was inadvertently overlooked.

2. The Respondent requests an additional 30 days to file these documents. The undersigned counsel is on a medically required work restriction and is only able to work a few hours per day when possible. However, the undersigned assures the Court completion of the brief is a high priority, and she will work diligently to complete the Initial Brief of Respondent and Designation of Matter.

✓

3. 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.

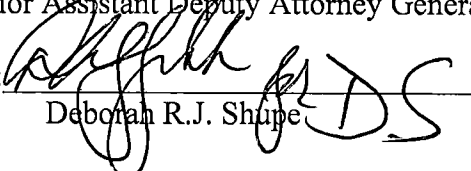
Based on the foregoing, Respondent respectfully requests this Court hold this matter in abeyance pending resolution of this Motion, and grant Respondent's request for a 30-day extension of time to file and serve the Initial Brief of Respondent and Designation of Matter in this appeal.

Respectfully submitted,

ALAN WILSON

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

BY:


Deborah R.J. Shupe

Office of the Attorney General
PO Box 11549
Columbia, SC 29211
803-734-3739

October 23, 2017

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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County
The Honorable Doyet A. Early, Circuit Court Judge

PROOF OF SERVICE

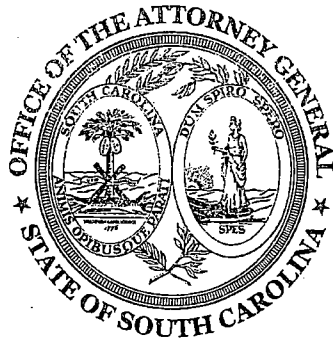
I, Sally Ellison, certify that I have served the Motion to File Initial Brief of Respondent Out of Time and For a 30-Day Extension, by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

Elizabeth A. Franklin-Best, Esquire
900 Elmwood Avenue, Suite 200
Columbia, SC 29201

I further certify that all parties required by Rule to be served have been served, this 23rd day of October 23, 2017.



Sally Ellison, Legal Assistant
Office of the Attorney General
PO Box 11549
Columbia, SC 29211
803-734-3970



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SC Court of Appeals

ALAN WILSON
ATTORNEY GENERAL

October 23, 2017

HAND-DELIVERY

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

Re: The State v. Myron Cannon
Appellate Case No. 2016-001954

Dear Ms. Kitchings:

Enclosed are an original and seven (7) copies of a Motion to File Initial Brief of Respondent and Designation of Matter Out of Time and For a 30-Day Extension to file these documents.

By copy of this correspondence, I am serving counsel for the Appellant with a copy of the Respondent's Motion.

Sincerely,

Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

DRJS/sbe
Enclosures

cc: Elizabeth A. Franklin-Best, Esquire
Victim Advocacy Division