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3rd REB due 12/11

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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DEC 04 2017
SC Court of Appeals

Appeal from Charleston County
Honorable W. Jeffrey Young, Circuit Court Judge
Appellate Case Tracking No. 2016-001785

The State,

Respondent,

vs.

Rhajon Akeem Reshae Sanders,

Appellant.

**MOTION OUT OF TIME FOR THIRD EXTENSION
WITHIN WHICH TO SERVE AND FILE
INITIAL BRIEF OF RESPONDENT**

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

I.

The Initial Brief of Respondent was due to be served and filed December 1, 2017. Due to a failure to calendar the due date, the undersigned asks this Court to accept the motion out of time.

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 Respondent moves for a third 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 brief on time. The undersigned has completed several initial briefs,

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Returns to Petition for Writ of Certiorari, and Briefs of Respondent. In addition, counsel participated in oral argument in this Court.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would therefore request a third extension of time within which to serve and file the Initial Brief of Respondent.

WHEREFORE, Respondent 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 Initial Brief of Respondent 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



J. BENJAMIN APLIN
Senior Assistant Deputy Attorney General



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ATTORNEYS FOR RESPONDENT

December 4, 2017

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable R. Ferrell Cothran, Circuit Court Judge
Appellate Case Tracking No. 2016-001785

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SC Court of Appeals
Respondent,

The State,

vs.

Jermaine Antonio Hodge,

Appellant.

PROOF OF SERVICE

I, Anne A. Mueller, certify that I have served the Motion For Third Extension Of Time Within Which To Serve And File Initial Brief of Respondent on Appellant by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Wanda H. Carter, Esquire
SC Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589

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

This 4th day of December, 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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December 4, 2017

DEC 04 2017

SC Court of Appeals

VIA HAND DELIVERY

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

Re: State v. Rhajon Akee Reshae Sanders
Appellate Case Tracking No. 2016-001785

Dear Ms. Kitchings:

Enclosed please find the original and six (6) copies of a Motion Out of Time For Third Extension Of Time Within Which To Serve And File Initial Brief of Respondent along with proof of service for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

WMB/aam
Enclosures

cc: Wanda H. Carter, Esquire
Victim Advocacy Division