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IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Steven H. John, Circuit Court Judge

**RECEIVED**  
JAN 09 2018  
SC Court of Appeals

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Case Nos. 2014A2610201195;  
2014A2610700451;  
2014A2610700255;  
2014A2610700452  
Appellate Case No. 2017-002553

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The State, .....Respondent,

v.

Tommy Lee Benton, .....Appellant.

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APPELLANT'S MOTION FOR  
EXTENSION OF TIME

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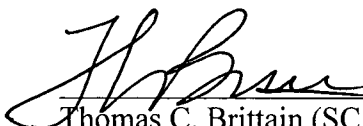
Pursuant to the South Carolina Appellate Court Rules, Appellant, by and through his undersigned counsel, hereby moves the Court for an Order granting Appellant a 30-day extension of time, until February 14, 2018, in which to order the trial transcript to be provided to the South Carolina Commission on Indigent Defense. Appellant is in the process of submitting a notarized

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affidavit of indigency to the Division of Appellate Defense so that their office may review it before the deadline to request the transcript from the court reporter. Out of an abundance of caution, Appellate would submit that an extension of time is necessary due to the time involved in providing the affidavit from an incarcerated person.

Appellant would further submit that no prejudice will inure to the Respondent by the granting of this Motion.

THE BRITTAIN LAW FIRM



Thomas C. Brittain (SC Bar #00893)

4614 Oleander Drive

Myrtle Beach, SC 29577

(843) 449-8562

[tommyb@brittainlawfirm.com](mailto:tommyb@brittainlawfirm.com)

Attorney for the Appellant

January 5, 2018  
Myrtle Beach, SC

cc: Lauree Richardson, Esquire  
Robert Michael Dudek, Esquire

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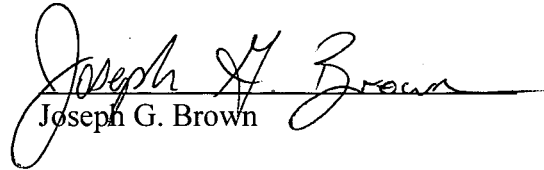
PROOF OF SERVICE

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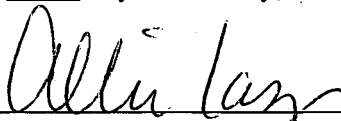
I, Joseph G. Brown, do hereby certify that I am an employee of THE BRITAIN LAW FIRM, P.A., attorneys for the Appellant Tommy Lee Benton in the above-entitled action, and that I have this 5<sup>th</sup> day of January, 2018, caused to be served upon the following parties the **Motion for Extension** by depositing a copy of same in the United States Mail, with sufficient first class postage affixed thereto, addressed as follows:

Lauree Richardson  
Horry County Solicitor's Office  
P.O. Box 1276  
Conway, SC 29576

Robert Michael Dudek  
Division of Appellate Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201-3332

  
Joseph G. Brown

**SWORN AND SUBSCRIBED** before me  
this 5<sup>th</sup> day of January, 2018.

  
\_\_\_\_\_  
**NOTARY PUBLIC FOR SOUTH CAROLINA**  
My Commission Expires: 8/16/19

**THE BRITAIN LAW FIRM, P.A.**

ATTORNEYS AT LAW  
4614 OLEANDER DRIVE  
MYRTLE BEACH, SOUTH CAROLINA 29577

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THOMAS C. BRITAIN  
MARY MADISON BRITAIN LANGWAY  
A. PRESTON BRITAIN  
T. CASE BRITAIN, JR.

843-449-8562  
FAX 843-497-6124  
www.brittainlawfirm.com

January 5, 2018

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

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SC Court of Appeals

Re: The State v. Tommy Lee Benton  
Appellate Case No. 2017-002553

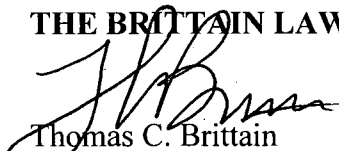
Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Motion for Extension of Time together with the Proof of Service and filing fee of \$25.00.

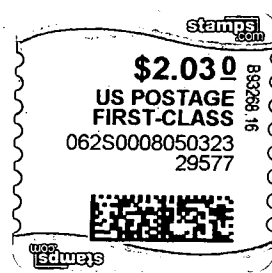
Please return one clocked-in copy of the Motion and Proof of Service to our office in the enclosed self-addressed stamped envelope.

With warm regards, I am  
Yours truly,

**THE BRITAIN LAW FIRM, P.A.**

  
Thomas C. Britain  
TCB/all

cc: Lauree Richardson, Esq.  
Robert Michael Dudek, Esq.



THE BRITAIN LAW FIRM, P.A.  
ATTORNEYS AT LAW  
4614 OLEANDER DRIVE  
MYRTLE BEACH, SOUTH CAROLINA 29577



The Honorable Jenny Kitchings,  
Clerk of Court  
The South Carolina Court of Appeals  
PO Box 11629  
Columbia SC 29211-1629

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