

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of General Sessions

Deandrea G. Benjamin, Circuit Court Judge

Appellant Case No. 2014-002126

RECEIVED

JAN 31 2018

SC Court of Appeals

The State,

Respondent,

v.

Arthur William Macon,

Appellant

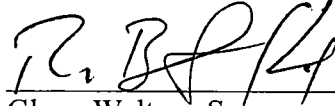
MOTION TO EXTEND TIME TO FILE MOTION FOR REHEARING

The Appellant hereby files a Motion to Extend Time to File a Motion for Rehearing from February 1, 2018 until February 16, 2018. The undersigned has obtained the approval of the Respondent and attaches his email confirming consent to this Motion. In support of the Motion the Appellant hereby states as follows:

1. The deadline for the filing of the Motion for Rehearing is February 1, 2018.
2. The undersigned is in the process of preparing the Motion for Rehearing but needs additional time to research the law and draft the pleadings..
3. If granted, the undersigned is informed and believes that the Motion for Rehearing will be due on February 16, 2018..
4. The undersigned attorneys hereby respectfully requests the Court to grant them an extension of time for at least 15 days from February 1, 2018, to complete the legal research and prepare and file a Motion for Rehearing.
5. Counsel respectfully requests the time to file the Request for Rehearing be extended to February 16, 2018.
6. The undersigned has conferred with counsel for the Respondent who agreed to the Extension

of Time and authorized the undersigned to represent this consent to the Court by attaching a copy of the email to this Motion.

This the 31st day January 31, 2018, at Orangeburg, South Carolina.



Glenn Walters, Sr.

R. Bentz Kirby

P O Box 1346

Orangeburg, SC 29116

(803) 531-8844

(Fax) (803) 531-3628

Attorneys for Appellant



R Bentz Kirby <rbk.glennwalterspa@gmail.com>

State vs Arthur Macon 2014-002126

2 messages

R Bentz Kirby <rbk.glennwalterspa@gmail.com>

Wed, Jan 31, 2018 at 11:35 AM

To: "J. Benjamin Aplin" <baplin@scag.gov>, Anne Mueller <amueller@scag.gov>

Ben:

I attempted to call Ranees Saunders about receiving permission to inform the Court of Appeals that your office agrees to a fifteen day extension of time for us to file a Motion for Reconsideration. It is due tomorrow so the new date would be February 16, 2018. I spoke with Josh Edwards and he suggested I get in touch with you. At his suggestion, I am adding his assistant, Anne Mueller to this email.

If your office does consent, please respond as soon as possible in order that I can file the Motion later today.

Thank you and if you have a question, call me on my cellular phone at:

803-413-5676

Bentz Kirby

--

R. Bentz Kirby, Sr.

Phone 803-531-8844

Fax 803-531-3628

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Ben Aplin <baplin@scag.gov>

Wed, Jan 31, 2018 at 2:11 PM

To: R Bentz Kirby <rbk.glennwalterspa@gmail.com>, Anne Mueller <amueller@scag.gov>

Hi Bentz,

Yes – we have no objection to the request to an extension to petition for rehearing.

Ben

J. Benjamin Aplin

Senior Assistant Deputy Attorney General

Criminal Appeals

South Carolina Office of the Attorney General

1000 Assembly Street, Suite 500

Post Office Box 11549

Columbia, SC 29211-1549

baplin@scag.gov

(803) 734-3727

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From: R Bentz Kirby [mailto:rbk.glennwalterspa@gmail.com]

Sent: Wednesday, January 31, 2018 11:36 AM

To: Ben Aplin; Anne Mueller

Subject: State vs Arthur Macon 2014-002126

[Quoted text hidden]

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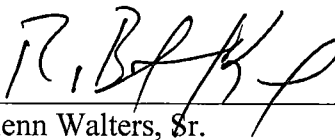
Arthur William Macon,

Appellant

CERTIFICATE OF SERVICE

On the 31st day of January, 2018, the undersigned served a copy of the Motion to Extend Time to file Request for Rehearing on counsel for the Respondent by placing a copy in the United States Mail, postage fully paid, to the following address:

J Benjamin Alpin
S.C. Attorney General's Office
PO Box 11549
Columbia, SC 29211-1549



Glenn Walters, Sr.
R. Bentz Kirby
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Orangeburg, SC 29116
(803) 531-8844
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Attorneys for Appellant

**GLENN WALTERS
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TELEPHONE: (803) 531-8844 • FACSIMILE: (803) 531-3628

Glenn Walters, Sr.
R. Bentz Kirby, Retired and Of Counsel

January 31, 2018

The Hon. Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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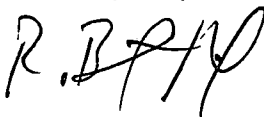
Re: The State v Arthur William Macon, Appellate Case No. 2014-002126

Dear Ms Kitchings:

Enclosed you will please find the Motion to Extend Time to File Request for Rehearing for a time period of fifteen (15) days. We also enclose the \$25.00 filing fee. Please call me at 803-413-5676 with any questions. I have communicated with J. Benjamin Alpin's office and he confirmed consent to the motion via email. He authorized the undersigned to represent this fact to the Court by attaching a copy of the email to the Motion.

With kind regards, I am

Yours very truly,



R. Bentz Kirby

cc: J. Benjamin Alpin

Arthur Macon
Broad River Correctional Institution
4460 Broad River Road
Columbia SC 29210

✓