

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable J.C. Nicholson, Jr., Circuit Court Judge
Appellate Case Tracking No. 2017-002096

RECEIVED
FEB 01 2018
SC Court of Appeals

The State,

Appellant,

vs.

Hannah Kelly,

Respondent.

**MOTION FOR THIRD EXTENSION
WITHIN WHICH TO SERVE AND FILE
INITIAL BRIEF OF APPELLANT**

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

I.

The Initial Brief of Appellant and Designation of Matter is due to be served and filed February 1, 2018.

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, Appellant 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, Returns to Petition for Writ of Certiorari, and Briefs of Respondent.

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 Appellant and Designation of Matter.

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 Appellant and Designation of Matter 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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Columbia, SC 29211
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ATTORNEYS FOR RESPONDENT

February 1, 2018

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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 Appellant on Respondent by depositing a copy of same in the United States mail, postage prepaid, addressed to:

Edward L. Phipps, Esquire
155 King Street, 2nd Floor
Charleston, South Carolina 29401

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

This 1st day of February, 2018.



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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FEB 01 2018

SC Court of Appeals

February 1, 2018

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. Hannah Kelly
Appellate Case Tracking No. 2017-002096

Dear Ms. Kitchings:

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

Sincerely,

William M. Blich, Jr.
Assistant Attorney General

Enclosures

cc: Edward L. Phipps, Esquire
Victim Services

✓