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SC Court of Appeals

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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Dillon County
The Honorable Paul M. Burch, Circuit Court Judge

Appellate Case No. 2015-002353

THE STATE,

Respondent,

vs.

DAMIAN INMAN,

Appellant.

MOTION FOR THIRD EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief is due today, February 9, 2018, upon this Court's grant of Respondent's second request for an extension filed on January 12, 2018. The undersigned attorney for the Respondent has had a number of state and federal matters to attend to since January 10, 2018. Specifically,

1. Counsel has completed and filed the Federal Habeas Return for *Richard Kevin Patterson v. Lewis*, C/A# 0:17-2546-DCC-PJG;



2. Counsel has completed and filed the Initial Brief of Respondent for *State v. Spears*, A/C# 2017-000480;
3. Counsel has completed and filed the Return to Application for Post-Conviction Relief in *Miguel Ramirez v. State*, C/A#. 2017-CP-41-296;
4. Counsel has completed and filed the Return to Petition for Writ of Certiorari in *Brantley Clarke v. State*, A/C# 2017-000841; and
5. Counsel has completed and filed the Amended Return and Motion to Dismiss in *Demetrius Spencer v. State*, C/A# 2014-CP-35-84.

Due to counsel's involvement in these and other matters pending in state and federal court, counsel is unable to timely complete the Initial Brief of Respondent in this proceeding. Thus, counsel is requesting an extension of time in which to file the Initial Brief in this matter. This request is made in good faith, and not for the purposes of delay.

Counsel for Respondent contacted Counsel for Appellant, Mr. Robert M. Pachak, Esq., on February 8, 2018, and requested consent to move for a third extension in this matter. Mr. Pachak responded by email and consented to Respondent's Motion for Third Extension of Time to File Initial Brief of Respondent and Designation of Matter.

WHEREFORE, premises considered, counsel hereby respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

(Signature block on following page)

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

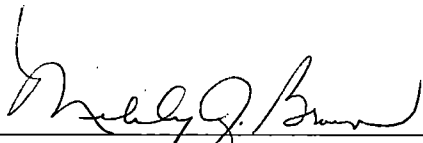
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(803) 734-6305

By: 
W. JOSEPH MAYE

ATTORNEYS FOR RESPONDENT

By: 
MELODY J. BROWN

I accept the finding of good cause.

February 9, 2018.

**STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Dillon County
The Honorable Paul M. Burch, Circuit Court Judge

Appellate Case No. 2015-002353

THE STATE,

Respondent,

vs.

DAMIAN INMAN,


Appellant.

PROOF OF SERVICE

I, W. Joseph Maye, of counsel for the Respondent, certify that I have served two (2) copies of the within motion for a third extension to file Initial Brief of Respondent and Designation of Matter via U.S. mail to his attorney of record, Robert M. Pachak, Esq., SCCID/Division of Appellate Defense, 1330 Lady Street, Suite #401, Columbia, South Carolina 29201-3332.

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

This 9th day of February, 2018.


W. JOSEPH MAYE
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305



ALAN WILSON
ATTORNEY GENERAL

February 9, 2018

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

Re: *The State v. Damian Inman*
Appeal from Dillon County
Appellate Case No. 2015-002353

Dear Ms. Kitchings:

I hereby request an extension of thirty (30) days in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. The Initial Brief is currently due to be served and filed today, February 9, 2018. However, because of my involvement in other matters in state and federal court, I have been unable to timely complete the Initial Brief.

Therefore, I am enclosing an original and six (6) copies of a Motion for Third Extension to File Initial Brief of Respondent and Designation of Matter. Counsel for Appellant has consented to this extension request.

Sincerely,

W. Joseph Maye
Assistant Attorney General

WJM/dmd
Enclosures

cc: Robert M. Pachak, Esq. (w/two copies of encls.)