

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from York County
The Honorable Daniel D. Hall, Circuit Court Judge
Appellate Case No. 2017-001345

IN THE MATTER OF THE CARE AND TREATMENT
OF FRANKLIN MOSIER,

RECEIVED
JUN 15 2018
SC Court of Appeals
Appellant,

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

Respondent, State of South Carolina, hereby moves for a third extension of time to file the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal. In support of this motion, Respondent submits the following:

1. The Initial Brief of Respondent and Designation of Matter are due to be filed and served June 15, 2018, pursuant to a second extension. Respondent requests a third 30-day extension to serve and file these documents, which is not made for the purpose of delay, but due to counsel's significant absences from the office due to a work related injury. Counsel continues to be on a medically required work restriction, and is only able to work a few hours per day when possible.

2. Counsel has worked on the Initial Brief and Designation in this matter, but is unable to complete it prior to the due date. Counsel assures the Court completion of this brief is a high priority, and she will work diligently to complete it.

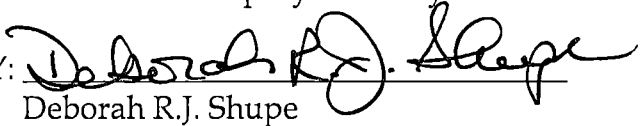
3. The undersigned consulted with counsel for the Appellant, and she is authorized to advise the Court he consents to the requested relief.

Based on the foregoing, Respondent respectfully requests that this Court grant a third 30-day extension in which to file the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this motion.

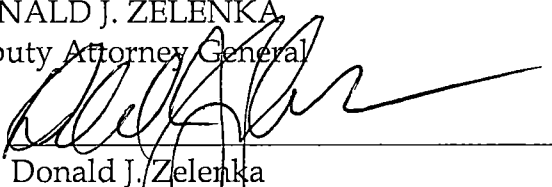
Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

BY: 
Deborah R.J. Shupe

DONALD J. ZELENKA
Deputy Attorney General

BY: 
Donald J. Zelenka

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Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR THE RESPONDENT

June 15, 2018

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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IN THE MATTER OF THE CARE AND TREATMENT
OF FRANKLIN MOSIER,

Appellant,

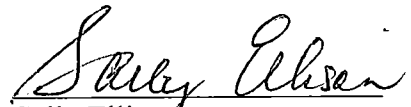
PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion for Third Extension to File the Initial Brief of Respondent and Designation of Matter on Appellant by depositing a copy of same in the United States Mail, postage prepaid, addressed to:

LaNelle Cantey DuRant, Esquire
Appellate Defender
SCCID
PO Box 11589
Columbia, SC 29211-1589

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

This 15th day of June, 2018.


Sally Ellison
Office of the Attorney General
PO Box 11549
Columbia, SC 29211
803-734-3727



ALAN WILSON
ATTORNEY GENERAL

June 15, 2018

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SC Court of Appeals

HAND-DELIVERY

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

Re: In the Matter of the Care and Treatment of Franklin Mosier
Appellate Case No. 2017-001345

Dear Ms. Kitchings:

Enclosed are an original and seven (7) copies of a Motion for Third Extension to File Initial Brief of Respondent and Designation of Matter in the above appeal.

By copy of this correspondence, I am serving counsel for the Appellant with a copy of the Respondent's Motion.

Sincerely,

Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

DRJS/sbe
Enclosures

cc: LaNelle C. DuRant, Esquire
Victim Advocacy Division

V