

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Orangeburg County  
The Honorable James R. Barber, Circuit Court Judge  
Appellate Case No. 2017-001464

**RECEIVED**

JUL 05 2018

SC Court of Appeals

IN THE MATTER OF THE CARE AND TREATMENT  
OF MICAH ALLEN BILTON,

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 July 5, 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.

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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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Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR THE RESPONDENT

July 5, 2018

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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IN THE MATTER OF THE CARE AND TREATMENT  
OF MICAH ALLEN BILTON,

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:

David Alexander, 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 5th day of July, 2018.

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



ALAN WILSON  
ATTORNEY GENERAL

July 5, 2018

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JUL 05 2018

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 Micah Allen Bilton  
Appellate Case No. 2017-001464

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: David Alexander, Esquire  
Victim Advocacy Division