

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM PICKENS COUNTY
Court of General Sessions
Robert E. Hood, Circuit Court Judge

RECEIVED
AUG 10 2018
SC Court of Appeals

Appellate Case No. 2017-001476

THE STATE,RESPONDENT,

v.

BRANDON COX,APPELLANT.

**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on August 10, 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, the State moves for a **third** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. In the past few weeks, the

undersigned has discovered that numerous exhibits in this matter, containing images and videos of the sexual assault of the minor victim, have not been properly sealed from public record. Respondent is in the process of having these exhibits sealed and then transported to the Court of Appeals so that they be reviewed for potential inclusion in its Designation of Matter.

III.

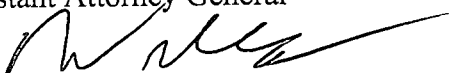
This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared and sensitive items are sealed from public access. After this matter is resolved, the Brief of Respondent will be submitted immediately thereafter. I would therefore request an extension of time within which to serve and file the Brief.

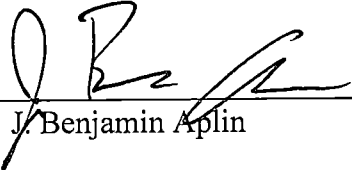
WHEREFORE, Appellant prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty days from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

WILLIAM F. SCHUMACHER, IV
Assistant Attorney General

By: 
William F. Schumacher, IV

By: 
J. Benjamin Aplin

Office of the Attorney General
Post Office Box 11549
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(803) 734-3727

August 10, 2018

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PROOF OF SERVICE

I, Destiny Blue, certify that I have served the Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to: David Alexander, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, South Carolina 29211.

I further certify that all parties required by Rule to be served have been served.
This 10th day of August, 2018.


DESTINY BLUE
Legal Assistant

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



ALAN WILSON
ATTORNEY GENERAL

August 10, 2018

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SC Court of Appeals

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

Re: The State v. Brandon Cox
Appellate Case No: 2017-001476

Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter along with proof of service in the above-referenced case.

Sincerely,

William F. Schumacher
Assistant Attorney General
S.C. Bar No: 100231

WFS/db
Enclosures

cc: David Alexander, Esquire
Victim Advocacy Division