

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Horry County
The Honorable R. Markley Dennis, Circuit Court Judge
Appellate Case No. 2017-001876

RECEIVED
OCT 05 2018
SC Court of Appeals

The State,

Respondent,

v.

Sidney St. Clair Moorer,

Appellant.

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

Respondent, State of South Carolina, through its undersigned counsel, 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 October 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 a medically required work restriction. In addition, to the restricted working hours, all State offices were closed from September 11-14, 2018, due to a pending hurricane, and counsel was unable to remotely access the Attorney General's office network during that time to continue working on the Respondent's brief.

2. The undersigned assures the Court completion of the brief is a high priority, and she will work diligently to complete the Initial Brief of Respondent and Designation of Matter.

3. Opposing counsel has authorized the undersigned to advise the Court she consents to the relief requested herein.

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.

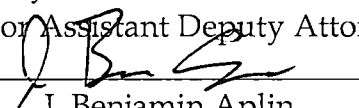
Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

By: 

for Deborah R.J. Shupe

J. BENJAMIN APLIN
Senior Assistant Deputy Attorney General
BY: 
/ J. Benjamin Aplin

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR THE RESPONDENT

October 5, 2018

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The Honorable R. Markley Dennis, Circuit Court Judge
Appellate Case No. 2017-001876

The State,

Respondent,

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Sidney St. Clair Moorser,

Appellant.


PROOF OF SERVICE

I, Sally Ellison, certify I 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:

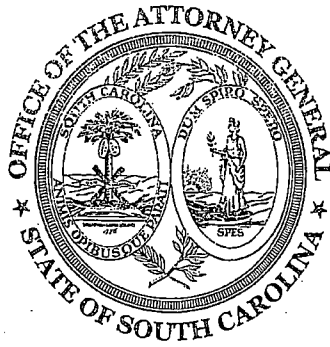
Susan B. Hackett, Esquire
Assistant Appellate Defender
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

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

This 5th day of October, 2018.



SALLY ELLISON
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

October 5, 2018

VIA HAND DELIVERY

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

RECEIVED
OCT 05 2018
SC Court of Appeals

Re: State v. Timothy Sidney St. Clair Moorer
Appellate Case No. 2017-001876

Dear Ms. Kitchings:

Enclosed are the original and seven (7) copies of a Motion for Third Extension to File Initial Brief of Respondent and Designation of Matter, with proof of service, for filing in the above-referenced appeal.

Sincerely,

for Deborah R.J. Shupe
Senior Assistant Deputy Attorney General

Enclosures

cc: Susan B. Hackett, Assistant Appellant Defender
Victim Advocacy Division