

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of General Sessions

The Honorable Diane Goodstein, Circuit Court Judge

Case No. 2018-000393

RECEIVED
OCT 24 2018
SC Court of Appeals

James Alfonza Biggs, III.....Appellant,

v.

State of South Carolina.....Respondent.

MOTION FOR SECOND EXTENSION OF TIME AND TO FILE OUT OF TIME

Undersigned counsel, Elizabeth Franklin-Best respectfully requests a second extension in this case, and for the Court to accept this motion out of time. Counsel currently has an oral argument in the Fourth Circuit Court of Appeals on November 1, 2018. Case No. 18-4036, *United States v. Michael Slager*. Counsel also has objections due in a capital habeas case due November 14, 2018. *Wood v. Byars*, 0:12-cv-03532. Counsel has written most of the brief, but needs some additional time to finish. Counsel has conferred with Melody Brown of the Attorney General's Office and she is not opposed.

Respectfully submitted,


Elizabeth Franklin-Best

October 23, 2018

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James Alfonza Biggs, III.Appellant,

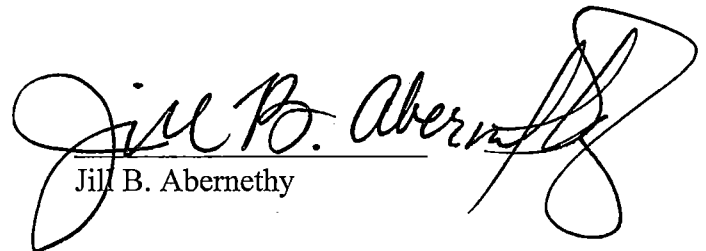
v.

State of South Carolina. Respondent.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of Appellate's Motion for Second Extension of Time and to File Out of Time was served by first class United States mail, postage prepaid, this 23rd day of October, 2018, upon the following:

Melody Brown
South Carolina Attorney General
P.O. Box 11549
Columbia, SC 29211


Jill B. Abernethy

BLUME FRANKLIN-BEST & YOUNG, LLC

ATTORNEYS AT LAW

JOHN H. BLUME
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KEIR M. WEYBLE *OF COUNSEL*
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October 23, 2018

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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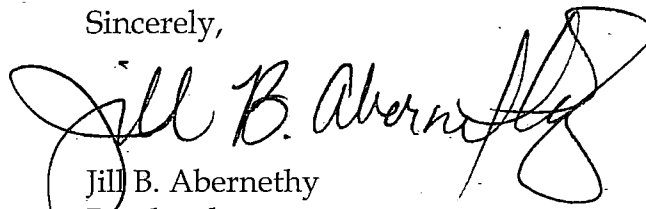
RE: *James Alfonza Biggs, III v. State of South Carolina*
2018-000393

Dear Ms. Kitchings,

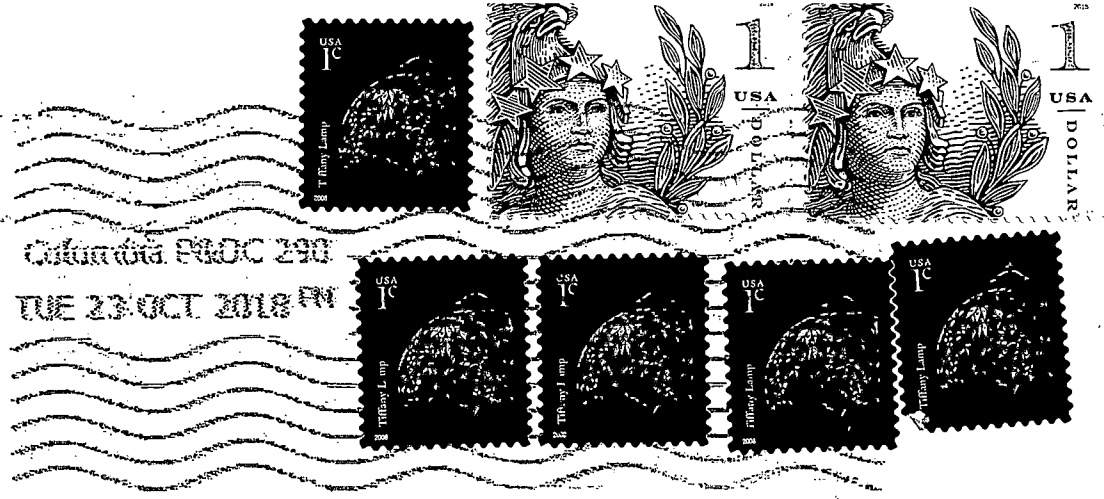
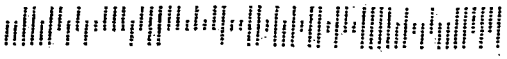
Please find enclosed for filing, with certificate of service, the original and seven copies of the Appellant's Motion for Second Extension of Time and to File Out of Time in regards to the above captioned case. Please clock-in the extra copy and return it to me in the enclosed self-addressed stamped envelope.

If you should have any questions, please feel free to contact this office.

Sincerely,


Jill B. Abernethy
Paralegal

cc: Melody Brown, Esq.



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