

State of South Carolina)
County of Richland)
State of South Carolina,)
Respondent,)
v.)
Deshawn McClary,)
Appellant)

In The Court of Appeals
For The Fifth Judicial Circuit
Appellate Case No. 2018 - 002053
MOTION FOR EXTENSION
OF TIME

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SC Court of Appeals

NOW COMES THE APPELLANT, Deshawn McClary, who respectfully moves before this Honorable Court, for an Order extending the time in which I may respond to this appeal for a period of forty-five (45) days past December 16, 2018 until January 30, 2019, on the grounds that the Appellant just received this Notice on December 13, 2018, and have been unable to fully investigate and research my case because I don't have any trial transcripts, briefs, motions for Discovery, or any other legal paperwork or documentation to properly prepare a brief by the deadline.

This motion is based upon the pleadings filed in this case; Affidavit of Deshawn McClary, appellate court rules, and

Such other matters as may be properly presented to the Court.

Wherefore, Appellant respectfully prays that this Honorable Court grant him an Order for an Extension of Time.

Respectfully,
SI Deshaun McClary

Columbia, South Carolina

Dated: December 17, 2018

State of South Carolina

County of Richland

State of South Carolina,

Respondent,

v.

Deshawn McClary,

Appellant

) In The Court of Appeals

) For The Fifth Judicial Circuit

) Appellate Case No. 2018-002053

) Proof of Service

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I certify that I have served this Motion For Extension of Time on the Honorable Jenny Abbott Kitchings, Clerk, by depositing a copy of it in the U.S. Mail, postage prepaid, on December 17, 2018, addressed to her office at, Post Office Box 11629, Columbia, South Carolina 29211.

S/ Deshawn McClary

Deshawn McClary 349708

Broad River C.I. / WA-186

4460 Broad River Rd.

Columbia, S.C. 29210

State of South Carolina) In The Court of Appeals
County of Richland) For The Fifth Judicial Circuit

State of South Carolina,)
Respondent,) Appellate Case No. 2018 - 002053

v.

Deshawn McClary,

Appellant

Affidavit Of

Deshawn McClary

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SC Court of Appeals

The Affiant, ^{Deshawn McClary} ~~████████████████████~~, declares under oath and

penalty of perjury:

- 1) That at all times relevant herein, I am an inmate incarcerated at Broad River Correctional Institution (Broad River C.I.). That I make this declaration with a sound mind, free from coercion.
- 2) That I received first Notice of this right to file an brief on 12-13-18.
- 3) That I am still on 24/7 state-wide lockdown while the rest of the general population is off.
- 4) That I am being denied total access to the law library.
- 5) That I don't have any legal documents, such as; trial transcripts, motion for Discovery, initial briefs, final briefs, State's initial

and final briefs, etc.

6) I am requesting an additional forty-five (45) day extension of time until January 30, 2019 to complete the preparation and drafting of a pro se brief. I am unable to meet the current deadline since I don't have any trial transcripts, nor am I allowed the use of the law library, or any legal materials.

7) The additional time requested will allow a proper response to this appeal to be prepared and no delay in the adjudication of this matter would be anticipated because of this extension.

Motion for Extension of Time

8) That this said ~~affidavit~~ ~~document~~ ~~is~~ ~~authentic~~ ~~which~~ ~~was~~ written and submitted to Court of Appeals by the Affiant.

9) That said Motion for Extension of Time was deposited in the U.S. Mail here at Broad River C.I. on 12-17-18.

Respectfully Submitted,

Deshaun McClary

Deshaun McClary ³⁴⁹⁹⁰⁸

Broad River C.I. / WA-186

4460 Broad River Rd.

Columbia, S.C. 29210

December 17, 2018

Deshawn McClary 349908
Broad River C.Y. / WA-186
4460 Broad River Rd
Columbia, S.C. 29210

Honorable Jenny Abbott Kitchings
Clerk

P.O. Box 11629
Columbia, S.C. 29211

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SC Court of Appeals

Re: The State v. Deshawn McClary
Appellate Case No. 2018-002053

Dear Ms. Kitchings,

Enclosed for your file is an original copy of Motion
for Extension of Time; along with a:

- 1) Proof of Service;
- 2) Affidavit of Deshawn McClary

Respectfully,
s/ Deshawn McClary

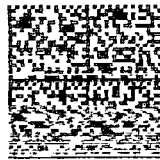
cc: Honorable Alan Wilson (Attorney General)

Deshaun McClary #349908
B.R.C. Waterlee #186
4460 Broad River Road
COLA, SC 29210

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HONORABLE JENNY ABOU KITCHINGS
CLERK OF RICHLAND COUNTY
P.O. BOX 11629
COLA SC 29211

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SC Court of Appeals

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