

THE STATE OF SOUTH CAROLINA
In the South Carolina Court of Appeals

APPEAL FROM FLORENCE COUNTY
Court of General Sessions

William H. Seals, Jr., Circuit Court Judge

Case No. 2017-001456

RECEIVED

SEP 06 2018

SC Court of Appeals

Earnest Fleming,.....Appellant.

V.

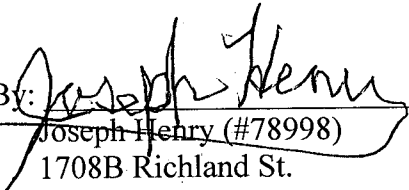
State of South Carolina,.....Respondents.

REQUEST FOR EXTENSION

Now comes Appellant in the above referenced case who files this motion requesting a sixty (60) day extension of time to file his Initial Brief. This request is being made in good faith as a result of Appellant's Attorney's current health concerns and the need to locate new counsel to handle the appeal. This request is not made for the purpose of interposing delay or any other inappropriate purpose and Respondent will not suffer any prejudice by this request.

Respectfully submitted,

September 5, 2018

By: 
Joseph Henry (#78998)
1708B Richland St.
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Telephone: (803) 929-3484
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ATTORNEY FOR APPELLANT

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PROOF OF SERVICE

I certify that I have served a copy of the Request for an Extension to file Appellant's Initial Brief on Respondent State of South Carolina through J. Benjamin Aplin, Interim Senior Assistant Deputy Attorney General by depositing the same in the United States Mail, postage prepaid, on September 6, 2018 and addressed to the Attorney of Record J. Benjamin Aplin at Office of the Attorney General P.O. Box 11549 Columbia, SC 29211.

Respectfully submitted,

September 5, 2018

By: _____

Joseph Henry (#78998)

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ATTORNEY FOR APPELLANT

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The Honorable V. Claire Allen, Deputy Clerk
The South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

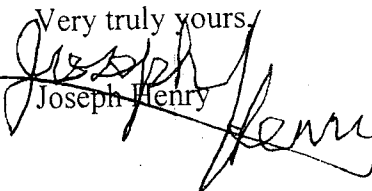
RE: The State, Respondent v. Earnest Fleming, Appellant
Appellate Case No. 2017-001456

Dear Ms. Allen:

I have located the transcript in the above referenced case and I am in the process of assisting Appellant in locating an attorney to handle the appeal in this matter as I am still dealing with some health concerns. In this regard, please find enclosed a motion for an extension of time to file the initial brief in this matter. Please note that I am requesting a sixty (60) day extension in order that new counsel will have enough time to review the transcript and prepare the brief. I have also enclosed my firm's check in the amount of \$25.00 to defray the cost of this request.

If you have any questions, please do not hesitate to contact me at (803) 553-5031 which is my cell number. With kind regards, I am

Very truly yours,


Joseph Henry

cc: Robert Michael Dudek, Esquire
Lloyd V. Flores, Jr., Esquire
John Benjamin Aplin, Esquire
Alan McCory Wilson, Esquire

✓