

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Darlington County
Honorable J. Michael Baxley, Circuit Court Judge

THE STATE.

RESPONDENT,

vs.

KRISTOPHER WILMONT BERRY,

APPELLANT.

**PETITION FOR EXTENSION OF TIME TO SERVE AND FILE THE INITIAL
BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be filed and served today, pursuant to two previous extensions granted by the Court.

II.

Due to being out of work on maternity leave, I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

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SC Court of Appeals

III.

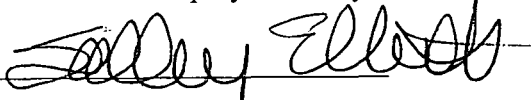
This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Respondent 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 (30) days; and for such other and further relief as the Court may deem just and proper.



Respectfully submitted,

ALAN WILSON
Attorney General

SALLEY W. ELLIOTT
Senior Assistant Deputy Attorney General

BY: 

CHRISTINA J. CATOE
Assistant Attorney General


BY:  _____
Christina J. Catoe

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ATTORNEYS FOR RESPONDENT

January 28, 2013

STATE OF SOUTH CAROLINA

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Appeal From Darlington County
Honorable J. Michael Baxley, Circuit Court Judge

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KRISTOPHER WILMONT BERRY,

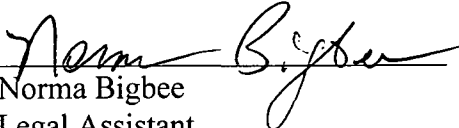
Appellant.

PROOF OF SERVICE

I, Norma Bigbee certify that I have served the Petition for Extension of Time to Serve and File the 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 his attorney of record, Dayne C. Phillips, Esquire, South Carolina Commission on Indigent Defense, Division of Appellate Defense, P.O. Box 11589, Columbia, SC 29211.

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

This 28th day of January, 2013.


Norma Bigbee
Legal Assistant

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