

STATE OF SOUTH CAROLINA  
In the Court of Appeals

\_\_\_\_\_  
Appeal From Spartanburg County  
J. Mark Hayes, II, Circuit Court Judge

Appellate Case No: 2018-001031  
\_\_\_\_\_

**RECEIVED**  
APR 15 2019  
SC Court of Appeals

THE STATE,

Respondent,

vs.

CALVIN LEE PHILLIPS, II,

Appellant.

\_\_\_\_\_  
**MOTION FOR EXTENSION OF TIME**  
\_\_\_\_\_

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 the Court today, pursuant to previous extensions granted by the Court.

II.

Due to work required in other direct appeals and post-conviction relief appeal cases pending before this Court and the South Carolina Supreme Court, I am unable to complete the

Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

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

DONALD J. ZELENKA  
Deputy Attorney General

J. BENJAMIN APLIN  
Senior Assistant Deputy Attorney General

By: \_\_\_\_\_

  
J. Benjamin Aplin  
S.C. Bar No: 8729

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Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

April 15, 2019

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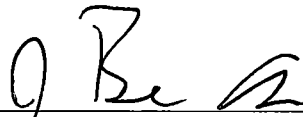
Appellant.

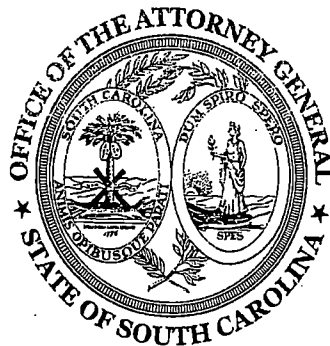
**PROOF OF SERVICE**

I, J. Benjamin Aplin, certify that I have served the Motion for Extension of Time on Appellant by depositing two copies of the same in the United States mail, postage prepaid, addressed to his attorneys of record, William G. Yarborough, III, Esquire; Lauren C. Hobbis, Esquire 522 North Church Street Greenville, South Carolina 29601.

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

This 15<sup>th</sup> day of April, 2019.

  
\_\_\_\_\_  
J. BENJAMIN APLIN  
Assistant Attorney General  
Office of Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3737



ALAN WILSON  
ATTORNEY GENERAL

April 15, 2019

William G. Yarborough, III, Esquire  
Lauren C. Hobbs, Esquire  
William G. Yarborough III, Attorney at Law, LLC  
522 North Church Street  
Greenville, SC 29601

**RECEIVED**

APR 15 2019

SC Court of Appeals

Re: The State v. Calvin Lee Phillips, II  
Appellate Case No. 2018-001031

Dear Counsel:

I am enclosing two (2) copies of the respondent Motion for Extension of Time to file the Initial Brief of Respondent and Designation of Matter.

Sincerely,

J. Benjamin Aplin  
Senior Assistant Deputy Attorney General

JBA/tb

cc: Jenny A. Kitchings, Clerk of Court