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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Certiorari to Orangeburg County

Maite D. Murphy, Circuit Court Judge

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AUG 13 2019

SC Court of Appeals
PETITIONER,

THE STATE,

V.

ARCHIE MOORE HARDIN,

RESPONDENT

Appellate Case No. 2018-002035

MOTION TO FILE EXTENSION REQUEST AND TO FILE
THE BRIEF OF RESPONDENT OUT OF TIME

The undersigned counsel respectfully requests a one-time twenty day extension out-of-time from August 2, 2019, in which to file the brief of respondent in the above-referenced case. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

1. The brief of respondent in Appellate Project case was due to be served and filed on August 2, 2019.
2. Due to miscommunication and inadvertence, Appellate Project counsel and the Office of Appellate Defense miscommunicated regarding Appellate Project counsel filing an extension to file the brief of respondent on August 2, 2019 -- and then the brief of respondent -- since the position of the defense still must be advocated even though the Court of Appeals found

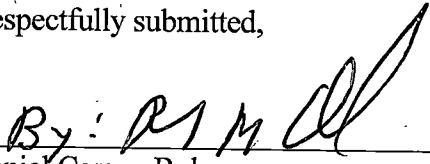
harmless error on the legal issue that petitioner decided to pursue with this Court despite having prevailed in the Court of Appeals.

3. This request is made in good faith, and not for purposes of delay.

4. The undersigned counsel has consulted with counsel for the state, Joshua A. Edwards, and he kindly has consented to this extension request.

WHEREFORE, the undersigned Appellate Project Counsel, and the Office of Appellate Defense, would respectfully request a twenty day extension from August 2, 2019, until August 22, 2019 in which to file the brief of respondent. Counsel respectfully requests that the time limits for filing the brief of respondent be held in abeyance pending a ruling on this motion.

Respectfully submitted,

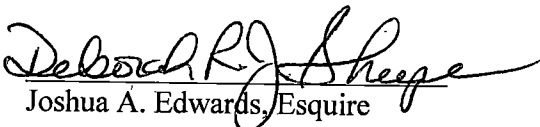
By: 
Daniel Carson Boles
Appellate Project Attorney

Robert M. Dudek
Chief Appellate Defender

ATTORNEYS FOR RESPONDENT

August 13, 2019.

I DO NOT OPPOSE:


for Joshua A. Edwards, Esquire

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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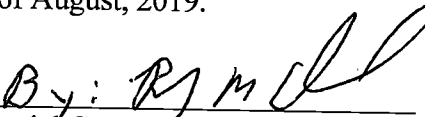
ARCHIE MOORE HARDIN,

RESPONDENT

Appellate Case No. 2018-002035

CERTIFICATE OF SERVICE

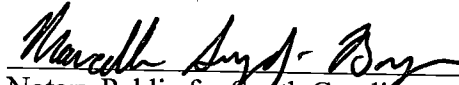
The undersigned attorney hereby certifies that a true copy of the motion to file the brief of respondent out of time and for extension of time in the above referenced case has been served upon Joshua A. Edwards, Esquire, at the Rembert Dennis Building, Room 519, 1000 Assembly Street, Columbia, South Carolina 29201, this 13th day of August, 2019.

By: 
Daniel Carson Boles
Appellate Project Attorney

Robert M. Dudek
Chief Appellate Defender

ATTORNEYS FOR RESPONDENT.

SUBSCRIBED AND SWORN TO before me
this 13th day of August, 2019.

 (L.S.)
Notary Public for South Carolina
My Commission Expires: July 26, 2028.