

THE STATE OF SOUTH CAROLINA
In The Supreme Court

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FEB 19 2013

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

S.C. Supreme Court

J. Ernest Kinard, Jr., Circuit Court Judge

Case No. 2012-CP-40-02609

Justin A. Austin #286474 Appellant,

v.

State of South Carolina Respondent.

MOTION FOR EXTENSION OF TIME TO ORDER TRANSCRIPT

COMES NOW, the undersigned attorney for Respondent, who would respectfully request an Order extending by the thirty (30) days the time within which the transcript of the PCR proceeding is to be ordered. Attorney for Respondent is currently in discussions with the South Carolina Commission on Indigent Defense (SCCID) about assuming representation of Respondent before this Honorable Court and the extension is necessary to protect the appellate rights of the Respondent.

McGOWAN, HOOD & FELDER, LLC



Patrick M. Killen
28 N. Main Street
Sumter, SC 29150
(803) 774-5026
(803) 774-5028 Fax
pkillen@mcgowanhood.com
Attorney for Appellant (PCR Atty.)

Sumter, South Carolina
Date: 2-15-13

Other Counsel of Record:

Robert D. Corney, Esquire
Assistant Attorney General
P.O. Box 11549
Columbia, South Carolina 29211
(803)734-3970
Attorney for Respondent

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PROOF OF SERVICE

I certify that I have served a copy of the Motion for Extension of Time to Request Transcript on Robert D. Corney, Esquire, attorney for the Respondent, by depositing them into the U.S. Mail addressed to P.O. Box 11549, Columbia, South Carolina 29211 on February 15, 2013.

McGOWAN, HOOD & FELDER, LLC

Patrick M Killen

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Attorney for Plaintiff
28 North Main Street
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Sumter, South Carolina
Date: 2-15-13

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Writer's Email: pkillen@mcgowanhood.com

February 15, 2013

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Hon. Daniel E. Shearouse
Clerk of the South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211

S.C. Supreme Court

RE: Justin A. Austin, Appellant, v. State of South Carolina, Respondent.
Civil Action No.: 2012-CP-40-02609

Dear Mr. Shearouse:

Enclosed please find the following:

1. Motion for Extension of Time to Request Transcript (original and 3 copies);
2. Proof of Service (original and copy); and
3. Return envelope.

Would you be so kind as to file the original and all copies of the document and return the copies stamped "FILED" in the enclosed self-addressed, postage-paid envelope? Thank you for your kind cooperation in this matter, and I hope you will contact me should you have any questions, comments or instructions.

Sincerely,

A handwritten signature in cursive script that reads "Patrick M Killen".

Patrick M. Killen
Attorney for Appellant

PMK/brm
Enclosures

cc: Justin A. Austin (w/ enclosures)
Robert D. Corney, Esquire (w/ enclosures)
Loriene French, SCCID (w/ enclosures)
Office of Court Administration (w/ enclosures)

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