

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal From Lexington County
Frank R. Addy, Jr., Circuit Court Judge
Appellate Case No: 2019-000365

THE STATE,

Respondent,

vs.

DAVID PAUL MERRITT,

Appellant.

**MOTION FOR THIRD EXTENSION
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

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FEB 03 2020
SC Court of Appeals

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 today.

II.

Due to work required in other direct appeals pending before this Court and the South Carolina Supreme Court, I am unable to complete the Brief on time. The undersigned has completed several briefs to the South Carolina Supreme Court, returns to petitions for writ of certiorari to the Supreme Court, and petitions for rehearing to both appellate courts. I would therefore request a third 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

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General

By: 

William M. Blitch, Jr.
S.C. Bar No: 15608
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

I have reviewed and approved this extension request:

By: 

Donald J. Zelenka
Deputy Attorney General

February 3, 2020

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PROOF OF SERVICE

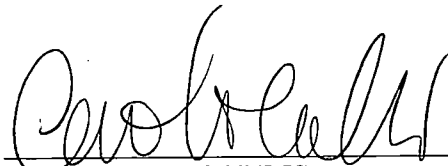
I, Caroline Collins, certify that I have served the Motion for Third Extension to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by having copies delivered to his attorney of record below:

Kathrine H. Hudgins, Esquire
SC Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211-1589

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

This 3rd day of February, 2020.



CAROLINE COLLINS
Administrative Coordinator
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727



ALAN WILSON
ATTORNEY GENERAL

February 3, 2020

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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FEB 03 2020

SC Court of Appeals

RE: State v. David Paul Merritt
Appellate Case No. 2019-000365

Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Motion for Third Extension of Time, along with proof of service, for filing in the above-referenced appeal.

Sincerely,

William M. Blich, Jr.
Senior Assistant Deputy Attorney General
S.C. Bar Number 15608

Enclosures

cc: Kathrine H. Hudgins, Esq.
Victim Advocacy Division