

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**  
**May 28 2020**  
SC Court of Appeals

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APPEAL FROM DORCHESTER COUNTY

Summary Court

The Honorable Tera Richardson, Magistrate

The Honorable Brian Gibbons, Circuit Court Judge in Appellate Capacity

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Appellate Case No. 2019-001068

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Tyler Evans. .... Respondent,

v.

The State of South Carolina ..... Appellant.

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

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

I.

The Initial Brief of Appellant was served upon Respondent on April 21, 2020. Consequently, pursuant to the South Carolina Supreme Court order entitled *Operation of the Appellate Courts During the Coronavirus Emergency*, section (1)(1), dated March 20, 2020, the Initial Brief of Respondent is due to be filed and served on June 10, 2020.

## II.

Due to the unusually heavy workload and uncertain circumstances associated with the current COVID-19 pandemic, Respondent's counsel is unable to complete, file and serve the Initial Brief of Respondent within the required timeline.

## III.

This extension request is not intended for the purposes of delay, but rather to ensure that the Brief is properly researched and prepared. Respondent's counsel therefore requests an extension of time within which to file and serve the Initial Brief of Respondent.

WHEREFORE, Respondent prays for the Court to hold this matter in abeyance until ruling on this motion, and extend the deadline for the filing and service of the Initial Brief of Respondent in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Frost Law Group, LLC

s/Jack C. Frost

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Attorneys for the Respondent

May 28, 2020  
Summerville, South Carolina

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Tyler Evans. . . . . Respondent,

v.

The State of South Carolina . . . . . Appellant.

**PROOF OF SERVICE**

I, Jack Frost, do hereby certify that I have served the Respondent's *Motion for Extension to File and Serve Initial Brief* in the above -captioned action, by depositing it in the United States Mail, postage prepaid, on this 28<sup>th</sup> day of May 2020, addressed to:

**William M. Blich, Jr., Esq.**  
**Office of the Attorney General**  
**Post Office Box 11549**  
**Columbia South Carolina 29211**

s/ Jack C. Frost  
Jack C. Frost, Esq.  
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May 28, 2020  
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May 28, 2020

**Sent via: Fax to 843-734-1839 and US Mail**

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

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**May 28 2020**  
**SC Court of Appeals**

Re: The State of South Carolina, Appellant v. Tyler J. Evans, Respondent  
Appellate Case No.: 2019-001068

Dear Clerk:

Enclosed for filing is Respondent's *Motion for Extension to File and Serve Initial Brief* in the above referenced matter. Also enclosed is the proof of service of the same on Appellant counsel.

No filing fee included pursuant to SCACR 240(d).

Please do not hesitate to reach out to our office with any questions or concerns.

Best regards,

s/ Jack C. Frost  
Jack C. Frost, Esq.

Cc: Office of the Attorney General  
William M. Blich, Jr., Esq.  
Senior Deputy Assistant Attorney General  
Post Office Box 11549  
Columbia South Carolina 29211