

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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Oct 12 2020

SC Court of Appeals

Appeal from Cherokee County
Honorable J. Derham Cole, Circuit Court Judge
Appellate Case Tracking No. 2020-000771

The State,

Respondent,

vs.

Cornelius Sentell Mayberry,

Defendant,

and

John Steen d/b/a John Steen Bail Bonding
and Palmetto Surety Corp. as Surety,

Appellant.

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

Respondent, through its undersigned counsel, would respectfully show unto this Court:

I.

The Initial Brief of Respondent and Designation of Matter were due to be served and filed October 9, 2020. However, due to an oversight a Motion for an extension was not properly served and filed. The State asks this Court to accept this motion out of time.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a third extension in the above referenced appeal. Due to the issues raised and work required in other cases pending before this Court and the South Carolina

Supreme Court, I am unable to complete this brief on time. The undersigned has completed filings in the State v. Kevin Herriott, State v. Montrell Troutman, State v. Kenneth Taylor, State v. Ty'Shun Besselieu, and State v. Miquell Bryan. Additionally, the State is preparing for and participating in three oral arguments before this Court in October.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would, therefore, request a third extension of time within which to serve and file the Initial Brief of Respondent.

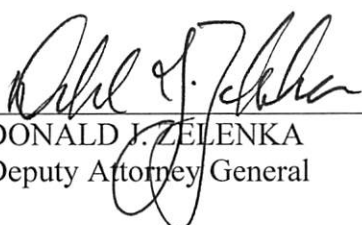
WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the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


Respectfully submitted,

ALAN WILSON
Attorney General

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

I have reviewed and approve this request:


DONALD J. ZELENKA
Deputy Attorney General


WILLIAM M. BLITCH, JR.
S.C. Bar No. 15608
Office of the Attorney General
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Columbia, SC 29211
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ATTORNEYS FOR RESPONDENT

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PROOF OF SERVICE

I, Caroline Collins, certify that I have served the Motion Out of Time for Extension of Time to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by email to Appellant's counsel of record at the email address provided by AIS for Robert T. Williams and Jason T. Yonge.

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

This 12th day of October, 2020.



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

Caroline Collins

From: Caroline Collins
Sent: Monday, October 12, 2020 2:19 PM
To: 'twilliams@wsblegal.com'; 'jyonge@wsblegal.com'
Cc: William Blich
Subject: The State v. John Steen d/b/a John Steen Bail Bonding (2020-000771)
Attachments: MAYBERRY Cornelius - Motion Out of Time for Extension to Serve and File Initial Brief of Respondent and Designation of Matter - 2020-000771 (02400351xD2C78).PDF

Good Afternoon Mr. Williams and Mr. Yonge,

Attached please find a Motion Out of Time for Extension of Time to Serve and File Initial Brief of Respondent and Designation of Matter in The State v. Cornelius Mayberry and John Steen d/b/a John Steen Bail Bonding (2020-000771). This motion will be submitted to the Court of Appeals via the AIS One Drive System.

If you will, please reply to this email to confirm receipt.

Thank you!

Caroline Collins

Administrative Coordinator
South Carolina Attorney General's Office
P: (803) 734-3723

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