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Feb 04 2021
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
Honorable Brooks P. Goldsmith, Circuit Court Judge
Appellate Case No. 2019-001919

The State,

Respondent,

vs.

John Ira Duncan, III,

Appellant.

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

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

I.

The Initial Brief of Respondent and Designation of Matter were due to be served and filed yesterday, February 3, 2021.

II.

The undersigned believed he would complete the Initial Brief of Respondent and Designation of Matter prior to leaving yesterday. However, I was unable to complete the brief prior to needing to leave to pick up my son. The Initial Brief and Designation of Matter are being served and filed contemporaneously with this motion. As a result, the undersigned does not believe Appellant has suffered any prejudice as the undersigned could have obtained an additional extension.

III.

This request is not intended for purposes of delay, but rather allowed the undersigned to ensure that the Brief is properly researched and to respond to the issues raised by Appellant in his Initial Brief.

WHEREFORE, Respondent prays that the Court accept service and filing of the Initial Brief of Respondent and Designation of Matter out of time; 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

By: 

William M. Blitch, Jr.
S.C. Bar No: 15608
Office of the Attorney General
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(803) 734-3727

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PROOF OF SERVICE

I, Caroline Collins, certify that I have served the within Motion to Serve and File Initial Brief of Respondent and Designation of Matter Out of Time on Appellant by emailing a copy to Appellant's counsel of record, Kathrine H. Hudgins, at the email address provided by the Attorney Information System (AIS).

I further certify that all parties required by Rule to be served have been served.
This 4th day of February, 2021.



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

Caroline Collins

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Feb 04 2021

SC Court of Appeals

From: Caroline Collins
Sent: Thursday, February 4, 2021 4:59 PM
To: Hudgins, Kathrine
Cc: 'Stock, Chris'; William Blicht
Subject: The State v. John Ira Duncan, III (2019-001919)
Attachments: DUNCAN John - Initial Brief of Respondent and Designation of Matter - 2019-001919 (02483811xD2C78).PDF; DUNCAN John - Motion to Serve and File Initial Brief of Respondent and Designation of Matter Out of Time - 2019-001919 (02483812xD2C78).PDF

Good Afternoon Ms. Hudgins,

Attached please find a Motion to Serve and File Initial Brief of Respondent and Designation of Matter Out of Time and a copy of the Initial Brief of Respondent and Designation of Matter in The State v. John Ira Duncan, III (2019-001919). These documents will be submitted to the Court of Appeals today 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