

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LAURENS COUNTY
Court of General Sessions

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FEB 04 2013

SC Court of Appeals

Honorable Eugene C. Griffith, Jr., Circuit Court Judge

67125

Appellate Case Tracking No.: 2012-212013

The State..... Appellant,

vs.

Raymond Franklin..... Respondent.

MOTION FOR EXTENSION OF TIME
WITHIN WHICH TO SERVE AND FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER

Raymond Franklin, Respondent, hereby moves pursuant to RE: Extension Requests in Criminal Direct Appeal and Post Conviction Relief Certiorari Proceeding: Order of the South Carolina Supreme Court dated March 18, 2009, for an extension of time in which to file the Initial Brief and Designation of Matter to be included in the Record on Appeal. Currently, both the Initial Brief of Respondent and Designation of Matter are due February 4, 2013. The Respondent bases his motion of the following grounds:

1. On December 10, 2012, the undersigned requested a copy of the transcript of record, a copy of which was provided to the undersigned on December 13, 2012;

2. In making final revisions to Respondent's Initial Brief and discussing the same with trial counsel, the undersigned was informed that the parties were in Court for a short period of time on May 16, 2012, and that there may be an additional transcript from that day;
3. It is necessary that the undersigned find out whether or not there is a transcript from May 16, 2012, and if so, for the undersigned to obtain a copy of the same before filing Respondent's Initial Brief and Designation of Matter.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly prepared in accordance with the evidence, testimony, and rulings by the Court. The undersigned has completed the Initial Brief, with the exception proof reading the Brief and checking citations. For these reasons, the Respondent respectfully requests that the Court extend the deadline for filing and serving his Initial Brief and Designation of Matter.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for serving and filing the Initial Brief and Designation of Matter in this case for thirty (30) days from the date of such relief is granted

January 30, 2013

Respectfully submitted,

By: 

Matthew P. Turner
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Laurens, South Carolina 29360
(864) 984-6565
Attorney for Respondent

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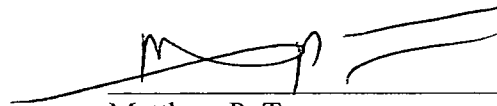
The State..... Appellant,

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PROOF OF DELIVERY

I certify that I have served a copy of the Motion for Extension of Time to file Respondent's Initial Brief and Designation of Matter on Allen Wilson, Attorney General, William M. Blich, Jr., Assistant Attorney General, P.O. Box 11549, Columbia, South Carolina 29211, by depositing them in the United States Mail, postage prepaid, on the 30 day of January, 2013.



Matthew P. Turner
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Post Office Box 668
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(864) 984-6565
Attorney for Respondent

January 30, 2013