

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Kristi L. Harrington, Circuit Court Judge

Case No. 2011-CP-10-3207  
COA Tracking No. 2012-21-0727

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APR 22 2013  
SC Court of Appeals

City of Charleston

Respondent,

v.

Jacob A. Stone,

Appellant.

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MOTION FOR EXTENSION OF TIME

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COMES NOW the Respondent, by and through the undersigned attorney, who respectfully requests, pursuant to Rule 263 (b) SCACR, a thirty (30) day extension of time to file a return to the Appellant's Petition for Rehearing & Petition for Rehearing en Banc & Motion to Reinstate Appeal. This Motion is based upon the following reasons.

I.

The Return to Appellant's Petition for Rehearing & Petition for Rehearing en Banc & Motion to Reinstate Appeal is due to be filed with this Court and served on Appellant on Monday, April 22, 2013, pursuant to an extension request previously granted.

II.

The parties have signed a joint Motion to Remand for Purpose of Entering Plea and to Hold Appeal in Abeyance for the same. This Motion was signed on April 18th, 2013 and is attached.

III.

If this Court grants the Motion to Remand for Purpose of Entering Plea, Appellant will plead guilty pursuant to a plea agreement. That guilty plea will resolve the charge involved in this case and render this appeal filed by Appellant unnecessary and moot and, consequently, a Return to Appellant's Petition for Rehearing & Petition for Rehearing en Banc & Motion to Reinstate Appeal unnecessary.

WHEREFORE, Respondent prays that this Court grant a thirty (30) day extension of time to file a return to the Appellant's Petition for Rehearing & Petition for Rehearing en Banc & Motion to Reinstate Appeal, and for such other and further relief this Court deems appropriate.

Respectfully submitted,

CITY OF CHARLESTON  
OFFICE OF THE PROSECUTOR  
180 A Lockwood Blvd., Suite 250  
Charleston, South Carolina 29403  
Telephone: (843) 965-4148

BY:   
MARK J. BOURDON  
SC BAR No.: 65265  
ATTORNEY FOR RESPONDENT

Charleston, South Carolina

April 18, 2013

Joseph P. Riley, Jr.  
Mayor



*City of Charleston*  
*South Carolina*  
*Office of the Prosecutor*

Mark J. Bourdon  
Chief Prosecutor  
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Melinda A. Lucka  
Prosecutor  
Phone (843) 720-3026  
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April 19, 2013

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

Re: City of Charleston v. Jacob A. Stone

Dear Ms. Kitchings:

Enclosed for filing please find the original and six (6) copies of the Motion for Extension of Time and the Respondent's Return to the Appellant's Motion to Reinstate in the above-referenced appeal. I have also enclosed the original Proof of Service indicating service of the Motion on today's date.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Mark J. Bourdon  
Chief Prosecutor

Enclosures (as stated)

MTB/eah

cc: Thomas J. Rode, Counsel for Appellant

RECEIVED

APR 24 2013

SC COURT OF APPEALS