

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of General Sessions  
Perry M. Buckner, Circuit Court Judge

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Case No. 2011-GS-32-01768  
Appellate Case No. 2012-212839

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RECEIVED

APR 25 2013

SC Court of Appeals

State of South Carolina,

Respondent

v.

Daniel Brockway,

Appellant

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MOTION FOR EXTENSION OF TIME IN WHICH TO SERVE  
AND FILE APPELLANT'S INITIAL BRIEF AND DESIGNATION

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Pursuant to Rule 240 of the South Carolina Appellate Court Rules, the undersigned attorney, counsel for appellant, Daniel Michael Brockway, files this motion for an extension of the deadline for serving and filing the appellant's initial brief and designation of matter to be included in the record on appeal, and in support of this motion says as follows:

1. Appellant's trial counsel has associated the undersigned attorney to represent the appellant in this appeal.
2. Trial counsel has previously sought and been granted two extensions of the deadline for the filing of appellant's initial brief and designation of matter to be

included in the record on appeal. The most recent order of the Court of Appeals extended this deadline to April 28, 2013.

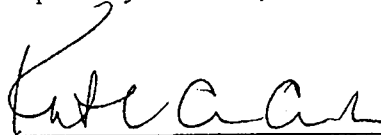
3. The undersigned attorney has five appellate briefs due within the five-business-day period from April 24 to April 30, in addition to other work commitments related to cases in the lower courts. Counsel will be unable to complete the initial brief of appellant by the due date of April 29, 2013. This extension request is not for purposes of delay but because of counsel's heavy workload at this time.

4. Good cause exists for this extension request.

5. Opposing counsel, Senior Assistant Deputy Attorney General Salley W. Elliott, has signed below to indicate her consent to a 30-day extension of the deadline for filing appellant's initial brief and designation.

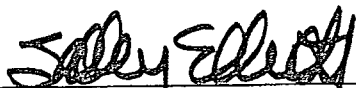
WHEREFORE, counsel hereby respectfully moves for a 30-day extension of time in which to serve and file the appellant's initial brief and designation of matter to be included in the record on appeal, to May 28, 2013.

Respectfully submitted,



Katherine Carruth Goode  
229 South Congress Street  
Winnsboro, South Carolina 29180  
Telephone: 803-799-4440  
Attorney for Appellant

I consent:



Salley W. Elliott, Senior Assistant Deputy Attorney General

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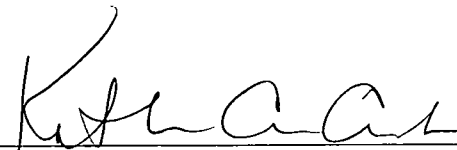
Appellant

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PROOF OF SERVICE

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I certify that I served a copy of the foregoing motion for extension of time in which to serve and file appellant's initial brief and designation, by mail, to the respondent's attorney, Senior Assistant Deputy Attorney General Salley W. Elliott, Office of the Attorney General, P.O. Box 11549, Columbia, South Carolina 29211, on April <sup>25</sup>~~23~~, 2013.

  
Katherine Carruth Goode  
229 South Congress Street  
Winnsboro, South Carolina 29180  
Telephone: 803-799-4440  
Attorney for Appellant