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Aug 26 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Richland County
Honorable Jocelyn Newman, Circuit Court Judge

Appellate Case No: 2021-001188

THE STATE,

Respondent,

vs.

TERRY GERRARD GRIDINE,

Appellant.

**PETITION TO RELAX RULE 208(a)(2) SCACR, AND RULE 209(a) SCACR
AND MOTION FOR A SECOND EXTENSION**

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 the Court on August 25, 2022, pursuant Rule 208(a)(2) SCACR. However, due to a calendaring error, counsel for the State failed to either request an extension or file its Initial Brief of Respondent and Designation of Matter on August 25, 2022.

II.

As a result of the calendaring error, the State respectfully asks this Court to relax the requirements of Rule 208(a)(2) SCACR, and Rule 209(a) SCACR, and permit the State to file a motion for a second extension of time within which to serve and file its Initial Brief and

Designation of Matter out of time. See Rule 263(b), SCACR (“The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rule 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.”). Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this Initial Brief on time. I would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

III.


This motion for extension is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Respondent prays that the Court will relax the requirements of 208(a)(2) SCACR and 209(a) SCACR and permit the filing of this motion for a second extension for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

JOSHUA A. EDWARDS
Assistant Attorney General

BY: 
Joshua A. Edwards
S. C. Bar No: 101188

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ATTORNEYS FOR RESPONDENT

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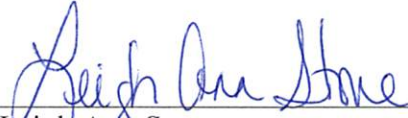
TERRY GERRARD GRIDINE

Appellant.

PROOF OF SERVICE

I, Leigh Ann Stone, certify that I have served the Petition to Relax Rule 208(a)(2) SCACR and 209(a) SCACR and Motion for a Second Extension on Appellant, by electronic mail to his counsel of record, Joanna K. Delany, Esquire to the address listed for counsel in AIS.

I further certify that all parties required by Rule to be served have been served.
This 26th day of August, 2022.



Leigh Ann Stone
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

Leigh Ann Stone

From: Leigh Ann Stone
Sent: Friday, August 26, 2022 10:56 AM
To: 'jdelany@sccid.sc.gov'
Cc: Josh Edwards; William Blitch; 'Warren, Kaylynn'
Subject: State v. Terry Gerrard Gridine (2021-001188)
Attachments: GRIDINE Terry - Petition to Relax Rule and Motion for Second Extension (IBOR) (03085594xD2C78).PDF

Good Morning Ms. Delany,

Attached please find a copy of the State's Petition to Relax Rule and Motion for Second Extension (IBOR) in The State v. Terry Gerrard Gridine (2021-001188). This petition and motion will be submitted to the South Carolina Court of Appeals today via the AIS One Drive System.

Thank you,

LEIGH ANN STONE, Legal Assistant
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