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Oct 21 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Aiken County  
The Honorable Clifton B. Newman, Circuit Court Judge

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THE STATE,

RESPONDENT,

V.

DENZELL DESHAWN JACKSON,

APPELLANT.

APPELLATE CASE NO. 2021-000942

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**MOTION FOR AN EXTENSION TO FILE THE INITIAL BRIEF OF  
RESPONDENT AND DESIGNATION OF MATTER**

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Counsel for The State of South Carolina respectfully requests a fourteen (14) day extension up to and including until November 4, 2022, in which to file the initial brief of respondent and designation of matter in the above-referenced case. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. This is a fourth request for an extension. In support of this request, counsel shows:

1. Counsel has been reviewing matters due to his involvement as Chairman on the Office of the Attorney General's Appellate Decision Review Committee. The Committee was formed to review all adverse rulings in capital, federal habeas, direct appeals, and Post-Conviction Relief matters, and to determine whether the State will appeal these rulings. In the last thirty days, counsel has reviewed the following matters: on September 16, 2022, *Angelo*

*House Taylor v. State of South Carolina*, a Greenville County Post-Conviction Relief matter and *In Re: Khalid J.*, a direct appeal challenging requirement of juvenile defendant's name be on sex offender registry. On September 23, 2022, *The State v. Gabriel Betancourt*, a Greenville County direct appeal matter;

2. On September 26, 2022, Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *Benjamin Smalls v. Warden of Lieber Correctional Institution*, C/A No: 5:22-cv-2060-RMG-KDW;

3. On September 27, 2022, Counsel filed additional attachments to the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of *William McCladdie v. Warden of Evans Correctional Institution*, C/A No: 6:22-cv-1192-RMG-KFM;

4. On October 3, 2022, Counsel prepared and filed its Status Report in the matter *James D. Robertson v. Jon Ozmint, Commissioner, South Carolina Department of Corrections*, C/A No: 2:11-cv-063-TMC-MGB;

5. On October 5, 2022, Counsel prepared and filed the Brief in Opposition in a death penalty case pending in the United States Supreme Court for *Jerome Jenkins, Jr. v. State of South Carolina*, C/A No: 22-5513;

6. On October 6, 2022, Counsel prepared and filed its Status Report in the matter of *Anthony Woods v. Bryan P. Stirling and Willie D. Davis*, C/A No: 5:18-cv-144-DCN-KDW;

7. Counsel is preparing for an oral argument scheduled for October 26, 2022 before the United States Fourth Circuit Court of Appeals in Richmond, Virginia for *Sammie Louis Stokes v. Bryan Stirling and Lydell Chestnut*, C/A No: 18-6; and

8. Counsel has done a substantial amount of research and work to prepare the Initial Brief of Respondent in this matter.

WHEREFORE, the undersigned counsel would respectfully request a fourteen (14) day extension until November 4, 2022, in which to file the initial brief of respondent and designation of matter in this case based upon the above exigent circumstances. Opposing counsel has consented to all extensions through October 31, 2022.

Respectfully Submitted,

ALAN WILSON  
Attorney General of South Carolina

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General  
S.C. Bar No. 14244

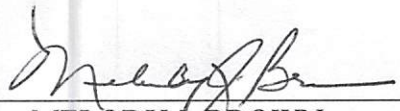
WILLIAM EDGAR SALTER, III  
Senior Assistant Attorney General

S.C. Bar No. 4806  
Office of the Attorney General  
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Columbia, SC 29211-1549  
(803) 734-6305

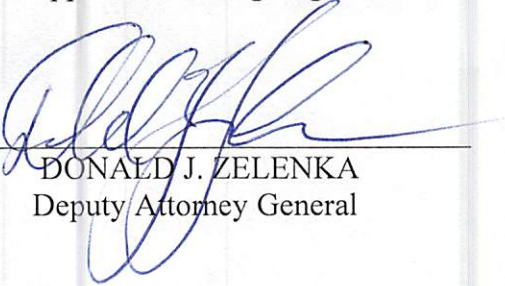
BY: s/William Edgar Salter, III  
WILLIAM EDGAR SALTER, III  
ATTORNEYS FOR RESPONDENT

October 21, 2022.

I support the finding of good cause.

By:   
MELODY J. BROWN  
Senior Assistant Deputy Attorney General

I also support the finding of good cause.

By:   
DONALD J. ZELENKA  
Deputy Attorney General

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APPELLATE CASE NO. 2021-000942

---

**PROOF OF SERVICE**

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I, William Edgar Salter, III, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Extension of Time to file the Initial Brief of Respondent & Designation of Matter, and Proof of Service have been forwarded to Appellant's counsel, Susan Hackett, Esq., via email today, October 21, 2022 to [shackett@sccid.sc.gov](mailto:shackett@sccid.sc.gov), and to her assistant, Chris Stock [cstock@sccid.sc.gov](mailto:cstock@sccid.sc.gov).

I further certified that all parties required by Rule to be served have been served.

This 21<sup>st</sup> day of October, 2022.

s/William Edgar Salter, III  
William Edgar Salter, III  
Senior Assistant Attorney General

Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211-1549  
(803) 734-3727

## Donna D'Alessio

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**From:** Donna D'Alessio  
**Sent:** Friday, October 21, 2022 11:44 AM  
**To:** 'shackett@sccid.sc.gov'  
**Cc:** Stock, Chris (cstock@sccid.sc.gov); Angela Brown  
**Subject:** Jackson, Denzell D. - Appellate Case No. 2021-000942 - 4th Extension of Time to file Initial Brief of Respondent and Designation of Matter  
**Attachments:** Jackson, Denzell D. - Appellate Case No. 2021-000942 - fourth extension of time to file IBOR - 10-21-22 (03133402xD2C78).pdf

Dear Ms. Hackett:

Attached is a scanned copy of the Respondent's fourth motion for extension of time to file initial brief of Respondent and DOM regarding the above matter. Same is being submitted to the South Carolina Court of Appeals through e-filing, along with a copy of this email.

Hope you are well and Happy Friday.

Donna D'Alessio, Legal Assistant  
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