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Nov 07 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM SUMTER COUNTY
HONORABLE GEORGE M. McFADDIN
CIRCUIT COURT JUDGE

IN THE MATTER OF THE CARE AND TREATMENT
OF JAMES GREGORY YOUNGER,

APPELLANT.

APPELLATE CASE NO. 2021-000537

**MOTION FOR FIFTH EXTENSION OF TIME TO SERVE
AND FILE THE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent, State of South Carolina, hereby moves for a fifth extension of time to file the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal. Respondent submits the following:

1. The Initial Brief of Respondent and Designation of Matter are due to be filed and served November 7, 2022, pursuant to a fourth extension. Respondent requests a fifth extension to serve and file these documents, which is not made for the purpose of delay, but due to a heavy workload and due to unexpected recovery issues and work restrictions related to ankle surgery on October 26, 2022.

2. Counsel has worked on the Initial Brief and Designation of Matter but has been unable to complete them prior to the due date. Counsel assures the Court completion of the Brief is a high priority, and she will work diligently to complete it.

3. The Attorney General's Office and opposing counsel with the Office of Indigent Defense, have consented to extension requests by way of general consent for all extensions until November 30, 2022. The undersigned also advised opposing counsel of this specific extension request.

Based on the foregoing, counsel for Respondent respectfully requests that this Court grant a fifth extension in which to file and serve the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this Motion.

Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General



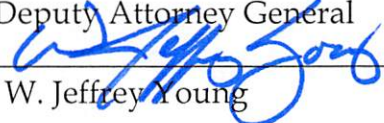
By: _____
Deborah R.J. Shupe

DONALD J. ZELENKA
Deputy Attorney General



BY: _____
Donald J. Zelenka

W. JEFFREY YOUNG
Chief Deputy Attorney General

By:  _____
W. Jeffrey Young

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November 7, 2022

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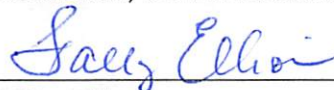
APPELLANT.

APPELLATE CASE NO. 2021-000537

PROOF OF SERVICE

I, Sally Ellison, certify that I have served the Motion for Fifth Extension to File Initial Brief of Respondent and Designation of Matter on Appellant, by depositing a copy in the United States Mail, postage prepaid, addressed to David Alexander, Assistant Appellate Defender, Attorney for the Appellant, and at the primary email address listed in AIS this 7th day of November 2022.

David Alexander
Assistant Appellate Defender
SCCID
PO Box 11589
Columbia, SC 2921101589



Sally Ellison
Legal Assistant
Office of the Attorney General
PO Box 11549
Columbia, South Carolina 29211-1549

November 7, 2022

Sally Ellison

From: Sally Ellison
Sent: Monday, November 7, 2022 12:13 PM
To: 'dalexander@sccid.sc.gov'; Matthews, Lindsey
Cc: Deborah Shupe; Sally Ellison; Victim Services
Subject: In the Matter of the Care and Treatment of James Gregory Younger Appellate Case No. 2021-000537
Attachments: Motion for Fifth Extension for file Initial Brief of Respondent and Designation of Matter (James Younger) (03148383xD2C78).PDF

Good Afternoon:

Attached is the Respondent's Motion for Fifth Extension of Time to Serve and File the Initial Brief of Respondent and Designation of Matter in the above appeal. The Motion will be filed with the Court through the AIS system and a copy will be provided as indicated on the Proof of Service.

SALLY ELLISON, LEGAL ASSISTANT
SC Attorney General
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Columbia, SC 29211-1549
803-734-4156

