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Nov 14 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Certiorari to Aiken County
R. Lawton McIntosh, Plea Judge
Honorable J. Cordell Maddox, PCR Judge

JALEN T. BADGER,

PETITIONER,

v.

STATE OF SOUTH CAROLINA,

RESPONDENT.

APPELLATE CASE NO. 2019-001183

MOTION FOR SECOND EXTENSION TO FILE
BRIEF OF RESPONDENT

Counsel for Respondent respectfully requests a second thirty-day extension to file the Brief of Respondent in the above-referenced case. In support of this motion, Counsel respectfully submits:

1. The brief of Respondent is due to be served and filed on Monday, November 14, 2022.
2. Respondent has previously requested one extension.
3. Respondent is requesting a second thirty-day extension.
4. Counsel for Respondent attended court in Sumter County on November 1, 2022, and handled two PCR matters at that time, including a matter where the Applicant went to trial and was sentenced to life imprisonment.

5. Counsel for Respondent filed a brief in the South Carolina Supreme Court in Lewis v. State, 2020-000998, on November 7, 2022.

6. Counsel for Respondent has a PCR term of Court scheduled in the 5th Circuit for the week of November 14-18, 2022. During this term Counsel will be handling four PCR matters involving Marie Assa'ad Faltas. Counsel has spent a substantial amount of time preparing for these hearings.

7. In addition to the foregoing, Counsel has handled routine matters over the past month such as drafting and filing returns and other pleadings, scheduling the 12th Circuit Roster, and communicating with opposing counsel about hearings in the 12th Judicial Circuit.

8. This motion is made in good faith and not for the purposes of delay.

WHEREFORE Counsel respectfully requests a thirty-day extension for filing Respondent's Brief in this matter. Counsel further respectfully requests the time limits for filing the Brief be held in abeyance pending a ruling on this motion.

ALAN WILSON
Attorney General

DANIELLE DIXON
Assistant Attorney General
S.C. Bar No. 73999

s/Danielle Dixon

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ATTORNEYS FOR RESPONDENT

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CERTIFICATE OF SERVICE

Pursuant to Rule 262, SCACR, as amended May 6, 2022, the undersigned hereby certifies a true copy of the Motion for Second Extension of Time to Serve Brief of Respondent in the above-referenced case has been served upon opposing counsel at her primary email address as listed in the Attorney Information System on this 13th day of November, 2022:

Wanda H. Carter
wcarte@sccid.sc.gov

s/Danielle Dixon

ATTORNEY FOR RESPONDENT