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SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Chesterfield County
The Honorable D. Craig Brown, Circuit Court Judge

THE STATE,

Respondent,

v.

RASHAWN MONTEZ LITTLE,

Appellant.

Appellate Case No. 2021-001385

**MOTION FOR THIRD EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a fifteen (15) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. By reciprocal agreement on file with the Court, counsel for Appellant has consented to requests for extensions of time through December 31, 2022. In support of this motion, undersigned counsel would respectfully show the Court the following:

1. Respondent's Initial Brief is due today, December 2, 2022 as per this Court's Order dated November 2, 2022 granting Respondent's second extension request. The brief is substantially complete; however, undersigned counsel requires additional time to review the matter, make any changes or edits, and properly complete the brief for filing. Undersigned counsel has been unable to complete these steps as she has had a number of other state and federal matters to

complete in the last few weeks, primarily in capital cases: Counsel filed a Petition for Writ of Certiorari and Appendix with the Supreme Court of the United States on Nov. 21, 2022 (*Quincy Allen*); Counsel prepared and filed on Nov. 15, 2022 the Warden's Motion to Alter or Amend, and on Nov. 29, 2022, a Response to Petitioner's Motion or Alter Amend in the United States District Court, District of South Carolina (*Stephen Corey Bryant*); Counsel appeared in the Court of Common Pleas on Nov. 30, 2022, in Fairfield County, for a motion hearing (*Gary Terry*); Counsel completed with co-counsel and filed on November 10, 2022, a Brief in Opposition in the Supreme Court of the United States (*Mikal Mahdi*); Counsel prepared and file on Nov. 8, 2022 a status report to the United States District Court, District of South Carolina for (*Bobby Wayne Stone*); and, Counsel prepared and filed on Nov. 2, 2022 a response with the Supreme Court of South Carolina in regards to a death-sentenced inmate's exhaustion of ordinary remedies and additional PCR action to challenge competency, and further, counsel took part in an informal status conference on Nov. 22, 2022, in this same matter when assigned to the circuit court (*John Richard Wood*). Additionally, counsel has been, with co-counsel, preparing for a reconsideration of sentence hearing in a capital case to beginning next week in Lexington (*Clinton Northcutt*).

2. In non-capital cases, counsel filed a status report with the United States District Court on Nov. 28, 2022 for (*LaShawn Brannon*); Counsel filed the Brief of Respondent on Nov. 7, 2022 in the Supreme Court of South Carolina in a direct appeal matter (*Jason Carver*); Counsel filed a Response in Opposition to Motion for Bail in the Supreme Court of South Carolina on Dec. 1, 2022 (*James R. Rose*); and Counsel filed a Response in Opposition to Motion for Personal Recognizance Bond Pending Disposition on Appeal in the Supreme Court of South Carolina on Dec. 1, 2022 (*Tyrone Robinson*).

3. This request is made in good faith, based on the forgoing, and not for the purpose of simple delay.

WHEREFORE, undersigned counsel for Respondent moves this Court for an extension of time to file the Initial Brief of Respondent and Designation of Matter by granting an extension of fifteen (15) days, up to and including December 19, 2022.


Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

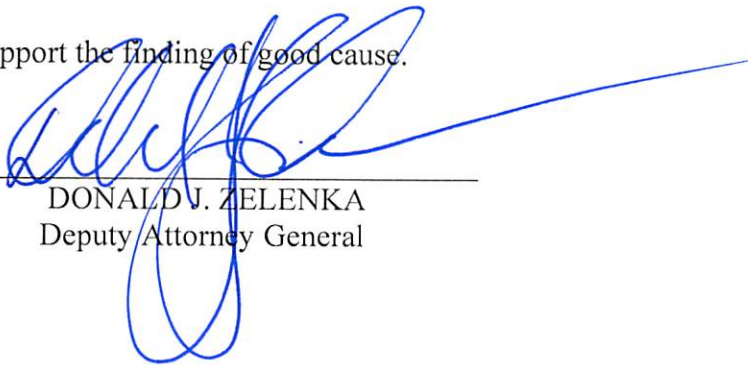
MELODY J. BROWN
Senior Assistant Deputy Attorney General

Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: 
MELODY J. BROWN
ATTORNEYS FOR RESPONDENT

December 2, 2022.

I support the finding of good cause.

By: 
DONALD J. ZELENKA
Deputy Attorney General

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PROOF OF SERVICE

I, Angela Brown, am an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Third Extension of Time to File Initial Brief of Respondent and Designation of Matter, along with Certificate of Service has been forwarded to Appellant's counsel, Kathrine H. Hudgins, Esquire, via email today, December 2, 2022 to KHudgins@sccid.sc.gov, and to her assistant Chris Stock at cstock@sccid.sc.gov.

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

This 2nd day of December, 2022.



Angela Bennett Brown,
Legal Assistant to Melody J. Brown
Senior Assistant Deputy Attorney General