

**RECEIVED**

**Dec 21 2022**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Florence County  
The Honorable Roger E. Henderson, Circuit Court Judge  
Appellate Case No. 2021-000734

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IN THE MATTER OF THE CARE AND TREATMENT  
OF ANDY EUGENE HYMAN,

APPELLANT.

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

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Respondent, State of South Carolina, hereby moves for a fifth and final 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 December 21, 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, unexpected and continuing recovery issues and work restrictions related to ankle surgery on October 26, 2022, and extensive additional research on the issue presented in this case.
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 December 30, 2022. The undersigned also advised opposing counsel of this specific extension request.

Based on the foregoing, counsel for the Respondent respectfully requests that this Court grant a fifth and final extension of time 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. ZELENSKA  
Deputy Attorney General

BY:   
Donald J. Zelenka

W. JEFFREY YOUNG  
Chief Deputy Attorney General

By:   
W. Jeffrey Young

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December 21, 2022

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**SC Court of Appeals**

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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Appeal from Florence County  
The Honorable Roger E. Henderson, Circuit Court Judge  
Appellate Case No. 2021-000537

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IN THE MATTER OF THE CARE AND TREATMENT  
OF ANDY EUGENE HYMAN,

APPELLANT.

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**PROOF OF SERVICE**

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I, Sally Ellison, certify that I served the Motion for Fifth and Final 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 Lara M. Caudy, Appellate Defender, Attorney for the Appellant, and at the primary email address listed in AIS this 21<sup>st</sup>. day of December, 2022.

Lara M. Caudy, Esquire  
Appellate Defender  
SCCID  
PO Box 11589  
Columbia, SC 2921101589



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

December 21, 2022

## Sally Ellison

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**From:** Sally Ellison  
**Sent:** Wednesday, December 21, 2022 9:01 AM  
**To:** 'lcaudy@sccid.sc.gov'; Leverett, Scott  
**Cc:** Deborah Shupe; Sally Ellison; Victim Services  
**Subject:** In the Matter of the Care & Treatment of Andy Eugene Hyman Appellate Case No. 2021-000734  
**Attachments:** Motion for Fifth Extension to Serve and File IBOR and DOM (03181782xD2C78).PDF

Good Morning:

Attached for service upon you this date is the Respondent's Motion for Fifth and Final Extension of Time to Serve and File the Initial Brief and Designation of Matter in the above appeal. This Motion will be filed with the Court of Appeals today through the AIS System. A copy of the Motion will also be served on the Appellant as indicated on the Proof of Service.

Please acknowledge receipt of this email. Thank you.

**SALLY ELLISON, LEGAL ASSISTANT**  
**SCAttorney General**  
**Post Office Box 11549**  
**Columbia, SC 29211-1549**  
**803-734-4156**

