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Jan 03 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Spartanburg County
The Honorable Letitia Verdin, Circuit Court Judge

THE STATE,

Respondent,

v.

JOSHUA JETER,

Appellant.

Appellate Case No. 2022-000311

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

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case up to and including February 2, 2023. Counsel for Appellant has graciously consented to the request via email. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter are due today, January 3, 2023 as per this Court's Order dated December 2, 2022 granting Respondent's second extension request. Counsel has begun, but not completed the brief in this matter.

The undersigned attorney for the Respondent has had a number of state and federal matters to attend since December 2, 2022

1. Counsel has prepared for and attended, with co-counsel, a reconsideration of sentence proceeding from December 5 through December 8, 2022 in Lexington County in the matter of The State v. Clinton Northcutt;

2. Counsel prepared and filed a status report in the federal habeas matter for Joshua Jeter v. Warden, Perry Correctional Institution on December 5, 2022;

3. Counsel prepared for and attended the December 18, 2022 Docket call in Spartanburg before Judge Knie for discussion on setting trial date in State v Callis Anderson, 2019A4210101878, which was set for trial April 24, 2023;

4. Primarily, counsel has been involved in extensive trial preparation throughout this month for State v. Murdaugh, a murder case set to begin on January 23, 2023.

Due to counsel's involvement in these and other matters, counsel is unable to timely complete the Initial Brief of Respondent.

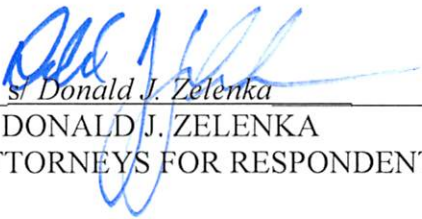
WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made in good faith, and not for the purposes of delay.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General
S.C. Bar No: 5758

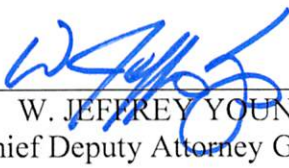
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: 

DONALD J. ZELENKA
ATTORNEYS FOR RESPONDENT

January 3, 2023.

I support the finding of good cause.

By: 

W. JEFFREY YOUNG,
Chief 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 Extension of Time to File the Initial Brief of Respondent and Designation of Matter, along with Certificate of Service has been forwarded to Appellant's counsel, Elizabeth Franklin-Best, Esquire and Ranees Saunders, Esquire, via email today, January 3, 2023 to elizabeth@franklinbestlaw.com and ranee@franklinbestlaw.com.

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

This 3rd day of January, 2023.

s/ Angela Brown
ANGELA BROWN
Legal Assistant to Donald J. Zelenka
Deputy Attorney General