

**RECEIVED**

**Jan 03 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Georgetown County  
The Honorable Robert Bonds, Circuit Court Judge

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THE STATE,

Respondent,

v.

TIESH RHUE,

Appellant.

Appellate Case No. 2021-001275

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

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The undersigned counsel would respectfully request a five (5) day extension in which to file the Initial Brief of Respondent in the above-referenced case. Opposing counsel has graciously consented to this request via email. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter is due today, Tuesday, January 3, 2023, as per this Court's Order dated November 28, 2022, granting Respondent's third extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since November 28, 2022. Specifically:

1. Counsel filed the Response in Opposition to Motion for Bond in the matter of Carnie Norris v. Charles Williams, Warden, C/A No. 8:21-cv-3353-MGL-JDA on December 12, 2022, a federal habeas matter pending in the District Court;
2. Counsel filed the *Motion to Dismiss* with attachments in the matter of Carnie Norris v. Charles Williams Warden, on December 21, 2022, C/A No. 8:21-cv-03353-MGL-JDA, a federal habeas matter pending in the District Court;
3. Counsel has been out on extended medical leave;
4. In the instant case, Counsel has largely completed the Brief of Respondent but requests five (5) days to perfect the brief.

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

WHEREFORE, counsel respectfully requests a five (5) 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

MELODY J. BROWN  
Senior Assistant Deputy Attorney General  
S.C. Bar No. 14244

JULIANNA E. BATTENFIELD  
Assistant Attorney General  
Fed. ID No. 13441

Post Office Box 11549  
Columbia, South Carolina 29211

(803) 734-6305

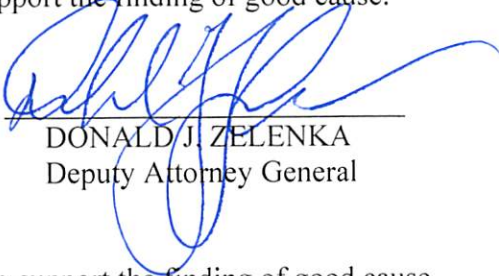
By: s/Julianna E. Battenfield  
Julianna E. Battenfield

ATTORNEYS FOR RESPONDENT

January 3, 2023.  
Columbia, South Carolina

I support the finding of good cause.

By:

  
\_\_\_\_\_  
DONALD J. ZELENKA  
Deputy Attorney General

I too support the finding of good cause.

By:

  
\_\_\_\_\_  
W. JEFFREY YOUNG  
Chief Deputy Attorney General

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Appellant.

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**PROOF OF SERVICE**

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I, Julianna E. Battenfield, as counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the fourth extension of time to file Initial Brief of Respondent, Designation of Matter, and Proof of Service have been forwarded to Appellant's counsel, Elizabeth Franklin-Best via email today, January 3, 2023 to [elizabeth@franklinbestlaw.com](mailto:elizabeth@franklinbestlaw.com).

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

This 3rd day of January 2023.

s/Julianna E. Battenfield  
Julianna E. Battenfield  
Assistant Attorney General

## Brandy Rankin

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**From:** Brandy Rankin  
**Sent:** Tuesday, January 3, 2023 10:52 AM  
**To:** elizabeth@franklinbestlaw.com; ranee@franklinbestlaw.com  
**Cc:** Julianna Battenfield  
**Subject:** Tiesh Rhue - Appellate Case No. 2021-001275 - Fourth Extension  
**Attachments:** Fourth Extension to file IBOR DOM (Adobe Version) (03185660xD2C78).pdf

Dear Ms. Franklin-Best,

Thank you for your consent to file a Fourth Extension in the above captioned case. Please find attached the Respondent's Fourth Extension Request to file the Initial Brief and Designation of Matter. These documents will be filed with the South Carolina Court of Appeals today, January 3, 2023.

Sincerely,

Brandy Rankin

Legal Assistant to Julianna E. Battenfield  
Office of the South Carolina Attorney General  
P. O. Box 11549  
Columbia, South Carolina 29211

