

**RECEIVED**

**Jan 17 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Cherokee County  
Honorable R. Keith Kelly, Circuit Court Judge  
Appellate Case Tracking No. 2022-000687

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Benjamin Paul Hannon,

Appellant,

vs.

The State,

Respondent.

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

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Respondent, through its undersigned counsel, would respectfully show unto this Court:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed January 17, 2023.

II.

Pursuant to RE: Extension Requests in Criminal Direct Appeals and Post-Conviction Relief Certiorari Proceedings: Order of the South Carolina Supreme Court dated March 18, 2009, the Respondent moves for a fourth extension in the above referenced appeal. Due to the issues raised and work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief on time. The undersigned has completed the Return to Petition for Writ of Certiorari in the Supreme Court's Original Jurisdiction in State v. Perry and a Return to the Petition for Writ of Habeas Corpus in the Original Jurisdiction of the Supreme Court

in Gibson v. Bodiford, et al. Further, the undersigned completed the Initial Brief of Respondent in a *pro se*, multi-issue appeal in State v. Bolick. The undersigned also participated in the oral argument of State v. Morales and State v. Carpenter on January 12, 2023, in the South Carolina Supreme Court. The Initial Brief in this case is one of the next briefs the undersigned plans to complete.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would, therefore, request a fourth extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.


WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,


ALAN WILSON  
Attorney General

WILLIAM M. BLITCH, JR.  
Senior Assistant Deputy Attorney General

I have reviewed and approve this request:



DONALD J. ZELENKA  
Deputy Attorney General



WILLIAM M. BLITCH, JR.  
S.C. Bar No. 15608  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-3727

ATTORNEYS FOR RESPONDENT

January 17, 2023

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**PROOF OF SERVICE**

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I, Caroline Collins, certify that I have served the Motion for Fourth Extension of Time to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by email to Appellant's counsel of record, Christopher Michael Bain, at the email address provided by the Attorney Information System (AIS).

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

This 17<sup>th</sup> day of January, 2023.



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CAROLINE COLLINS  
Administrative Coordinator  
Office of Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-3727

## Caroline Collins

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**From:** Caroline Collins  
**Sent:** Tuesday, January 17, 2023 12:53 PM  
**To:** 'Chris Bain'  
**Cc:** William Blitch  
**Subject:** RE: Benjamin Paul Hannon v. The State (2022-000687)  
**Attachments:** HANNON Benjamin - Fourth Extension Motion (IBOR) - 2022-000687 (03195584xD2C78).PDF

Attached please find a corrected version of this extension motion to reflect that it is a fourth extension motion.

Thank you so much!

**From:** Chris Bain <bain@winter-rhoden.com>  
**Sent:** Tuesday, January 17, 2023 12:47 PM  
**To:** Caroline Collins <CCollins@scag.gov>  
**Cc:** William Blitch <wblitch@scag.gov>  
**Subject:** Re: Benjamin Paul Hannon v. The State (2022-000687)

Good Afternoon,

I have received this request and no objections. I will point out the heading is for a Fourth Extension and I believe the body of the motion and proof of service say a Third Extension of Time. I believe this would be the Fourth Extension.

Thanks,

**Christopher M. Bain**  
Winter & Rhoden, LLC  
221 E. Floyd Baker Blvd.  
Gaffney, S.C. 29340  
(864) 489-8128  
[bain@winter-rhoden.com](mailto:bain@winter-rhoden.com)  
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On Tue, Jan 17, 2023 at 12:42 PM Caroline Collins <[CCollins@scag.gov](mailto:CCollins@scag.gov)> wrote:

Good Afternoon Mr. Bain,

Attached please find a Motion for Fourth Extension of Time to Serve and File Initial Brief of Respondent and Designation of Matter in Benjamin Paul Hannon v. The State (2022-000687). This motion will be submitted to the South Carolina Court of Appeals via the AIS One Drive System.

If you will, please reply to this email to confirm receipt.

Thank you!

**CAROLINE COLLINS**, Administrative Coordinator  
South Carolina Attorney General's Office

Criminal Appeals | Office 803-734-3723 | [ccollins@scag.gov](mailto:ccollins@scag.gov)

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