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Feb 10 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
Honorable Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2021-001254

THE STATE,

Respondent,

vs.

DEMETRIUS DEON THOMPSON,

Appellant.

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

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on February 10, 2023 pursuant to a previous order of this Court.

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 State moves for a **fourth** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. Since the last order for an extension was granted the undersigned counsel has submitted a Final Brief of Respondent in State v. Isaiah Deshaun Butler (2021-001272) a criminal appeal pending in the South Carolina

Court of Appeals. Likewise, in the past few weeks, the undersigned counsel has submitted a return to petition for writ of certiorari to the Supreme Court in Davon Clark v. State (2022-000751) and a brief of respondent to the Court of Appeals in State v. Derek Maner (2019-000230), both post-conviction appeals. In addition the undersigned anticipates filing in the Supreme Court a return to a petition for writ of certiorari in State v. Mark Lorenzo Blake (2022-000714), another post-conviction relief appeal.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Brief due to a heavy workload. Accordingly, in order to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

IV.


Before filing this extension request, the State has consulted with counsel for Appellant about the matter, and counsel for Appellant has graciously indicated she does not oppose the State's request for an additional extension.

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

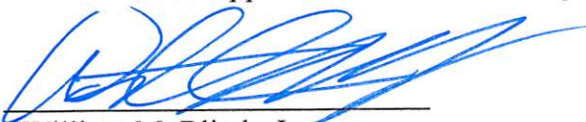
Respectfully submitted,

ALAN WILSON
Attorney General

AMBREE M. MULLER
Assistant Attorney General

By: 
Ambree M. Muller
S.C. Bar Number 104213

I have reviewed and approved this extension request.

By: 
William M. Blich, Jr.
Senior Assistant Deputy Attorney General

By: /s/ Donald J. Zelenka
Donald J. Zelenka
Deputy Attorney General

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PROOF OF SERVICE

I, Anne A. Mueller, certify I have served the within Motion for Fourth Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to counsel of record for the Appellant, Kathrine H. Hudgins, Esquire, to the address listed for counsel in AIS.

I further certify all parties required by Rule to be served have been served.
This 10th day of February 2023.



Anne A. Mueller
Legal Assistant

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(803) 734-3727

From: [Anne Mueller](#)
To: [Hudgins, Kathrine H.](#)
Cc: [Stock, Chris \(cstock@sccid.sc.gov\)](mailto:cstock@sccid.sc.gov); [Ambree Muller](#); [Anne Mueller](#)
Bcc: [Victim Services](#)
Subject: The State v. Demetrius Deon Thompson, Appellate Case No. 2021-001254
Date: Friday, February 10, 2023 3:18:00 PM
Attachments: [Thompsin Demetrius - 2021-001254 - Motion For Fourth Extension Of Time \(03217360xD2C78\).PDF](#)
[image001.png](#)

Good afternoon, Ms. Hudgins.

Attached to this email is an electronic copy of the State's Motion For Fourth Extension Of Time Within Which To Serve And File Initial Brief Of Respondent And Designation Of Matter. We will be filing our Motion with the Court using AIS One Drive shortly.

Sincerely,

Anne Mueller, Legal Assistant for Assistant Attorney General Ambree M. Muller

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