

RECEIVED

Feb 17 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable Jennifer B. McCoy, Circuit Court Judge
Appellate Case No. 2022-000336

THE STATE,

Respondent,

vs.

RONZELL BILAH OLDS,

Appellant.

**MOTION FOR FIFTH 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 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 State moves for a **fifth** and **final** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. In the past few weeks, the undersigned counsel has participated in oral arguments held before the South Carolina Supreme

Court in Conway, South Carolina, in State v. Randy Wright, Jr. and State v. Travis Latrell Lawrence; and has submitted a Brief of Respondent to the Supreme Court in State v. Eric Emanuel English. Along with that and other responsibilities in the office, the undersigned counsel has prepared materials for multiple different continuing legal education programs and presented at one of the programs earlier today.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Brief in the above-referenced case has required significant research because the case involves two important appellate issues related to the timing of the indictments and trial. 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. The undersigned counsel does not believe any additional extensions will be necessary.

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

MARK R. FARTHING
Senior Assistant Attorney General

By: 

Mark R. Farthing
S.C. Bar Number 76901

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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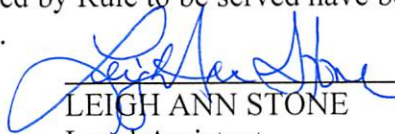
Appellant.

PROOF OF SERVICE

I, Leigh Ann Stone, certify I have served the within Motion for Fifth 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 the address listed in AIS for the following individual:

Kathrine H. Hudgins, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.
This 17th day of February, 2023.



LEIGH ANN STONE
Legal Assistant

Leigh Ann Stone

From: Leigh Ann Stone
Sent: Friday, February 17, 2023 2:28 PM
To: Hudgins, Kathrine
Cc: Mark Farthing; William Blitch; Stock, Chris
Subject: State v. Ronzell Bilah Olds (2022-000336)
Attachments: Olds. Fifth Extension Request (IBOR) (03223911xD2C78).PDF

Good Afternoon Ms. Hudgins,

Attached please find a request for a fifth extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter in The State v. Ronzell Bilah Olds (2022-000336). This request will be submitted to the South Carolina Court of Appeals today via the AIS One Drive System.

Thank you,

LEIGH ANN STONE, Legal Assistant
South Carolina Attorney General's Office
Criminal Appeals | Post-Adjudication
Office 803-734-3727
P.O. Box 11549 | Columbia, SC 29211
scag.gov



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