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Mar 06 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 FIFTH EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND
DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a two week extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case up to and including March 20, 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, March 6, 2023 as per this Court's Order dated February 7, 2023 granting Respondent's fourth extension request. Counsel has begun and has done substantial work, but not completed the brief in this matter.

The undersigned attorney for the Respondent primarily has been involved in extensive trial preparation and has been in a trial in Colleton County that began January 23, 2023 and finished on Friday, March 3, 2023 in the matter State v. Alex Murdaugh.

Due to counsel's involvement in this matter, counsel is unable to timely complete the Initial Brief of Respondent.


WHEREFORE, counsel respectfully requests a two week 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

March 6, 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 Ranee Saunders, Esquire, via email today, March 6, 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 6th day of March, 2023.

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