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**Mar 06 2023**

**SC Court of Appeals**

**STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

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**Appeal from Jasper County  
Honorable Bentley Price, Circuit Court Judge**

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**THE STATE,**

**Respondent,**

**v.**

**DIONTE J'CHON HABERSHAM,**

**Appellant.**

**Appellate Case No. 2021-000805**

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

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Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Initial Brief of Respondent and Designation of Matter, which is currently due to be filed today, Monday, March 6, 2023. Opposing counsel has graciously consented to all extension requests through March 31, 2023. In support of this motion, counsel would respectfully show the Court the following:

1. Counsel completed drafting and Co-counsel filed the Final Brief of Respondent in the case of *The State v. Rashawn Montez Little*, Appellate Case No. 2021-001385 on February 28, 2023, a case pending in the South Carolina Court of Appeals.
2. In the instant case, Respondent has been coordinating review of numerous exhibits and a large portion of the Initial Brief is completed, however due to Counsel's

deployment to Washington, DC trying cases there and the delay in being able to review exhibits, Counsel has been unable to perfect and complete the Brief.

3. Counsel is associating additional counsel to aid in completion of the brief.

WHEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the Initial Brief of Respondent and Designation of Matter.

Respectfully submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General

MICHAEL D. ROSS  
Assistant Attorney General

By: *s/Michael D. Ross*  
MICHAEL D. ROSS  
S.C. Bar No. 12990  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 734-6305

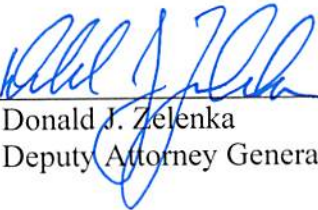
ATTORNEY FOR RESPONDENT

March 6, 2023.  
Columbia, South Carolina

I support the finding of good cause.

By:   
\_\_\_\_\_  
Melody J. Brown  
Senior Assistant Deputy Attorney General

I too support the finding of good cause.

By:   
\_\_\_\_\_  
Donald J. Zelenka  
Deputy Attorney General

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**THE STATE,**

**Respondent,**

**v.**

**DIONTE J'CHON HABERSHAM,**

**Appellant.**

**Appellate Case No. 2021-001385**

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**PROOF OF SERVICE**

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I, Michael D. Ross, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Fourth Extension to file the Initial Brief of Respondent, Designation of Matter, and Proof of Service has been forwarded to Appellant's counsel, Robert M. Dudek, via email today, March 6, 2023 to [RDudek@sccid.sc.gov](mailto:RDudek@sccid.sc.gov), and to his assistant, Kaylynn Warren to [Kwarren@sccid.sc.gov](mailto:Kwarren@sccid.sc.gov).

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

This 6<sup>th</sup> day of March 2023

*s/Michael D. Ross*  
MICHAEL D. ROSS  
S.C. Bar No. 12990  
Post Office Box 11549  
Columbia, South Carolina 29211

ATTORNEY FOR RESPONDENT

## Brandy Rankin

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**From:** Brandy Rankin  
**Sent:** Monday, March 6, 2023 3:48 PM  
**To:** Dudek, Robert  
**Cc:** Warren, Kaylynn; Mike Ross; Melody Brown  
**Subject:** The State v. Dione D'Chon Habersham - Fourth Extension to File Initial Brief and Designation of Matter -- Appellate Case No. 2021-000805  
**Attachments:** Signed Cover Letter forward 4th Extension to Court (03235091xD2C78).pdf; Signed Fourth Extension to file IBOR DOM and POS to same (Adobe version for filing) (03235094xD2C78).pdf  
**Follow Up Flag:** Worldox

Dear Mr. Dudek,

Please find attached the Respondent's Cover Letter to the Court, the Fourth Motion for Extension to file the Initial Brief and Designation of Matter, and the Proof of Service. These documents will be filed today, March 6, 2023 along with a copy of this email. Thank you.

Sincerely,

Mrs. Brandy Rankin, Legal Assistant  
South Carolina Attorney General's Office | Capital Litigation |  
Office 803-734-7240 | Fax 803-734-4035 |  
P.O. Box 11549 | Columbia, SC 29211



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**Mar 06 2023**

**SC Court of Appeals**

ALAN WILSON  
ATTORNEY GENERAL

March 6, 2023

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

Re: *The State v. Dionte D'Chon Habersham*  
Appeal from Jasper County  
Appellate Case No. 2021-000805

Dear Ms. Kitchings:

Please find attached the Respondent's Fourth Motion for Extension in which to file the Initial Brief and Designation of Matter, along with the Proof of Service, and the Email Proof of Service in the above captioned case. Please file these documents with your Court. Thank you in advance for your assistance.

Sincerely,

s/Michael D. Ross  
Michael D. Ross  
Assistant Attorney General

MDR:bbr

cc: Robert M. Dudek, Esquire (via email only)