

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Dillon County  
Honorable Paul M. Burch, Circuit Court Judge  
Appellate Case No. 2022-000324

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THE STATE,

Respondent,

vs.

MARC YASIN MCKEIVER,

Appellant.

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

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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 March 8, 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 **fourth** 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 argument before the Supreme Court in State v.

Randy Wright, State v. Travis Latrell Lawrence, and State v. Ontavious Derenta Plumer; has filed a Petition for Rehearing with the Court of Appeals in Charles Green, Jr. v. State; and has filed an Initial Brief of Respondent with the Court of Appeals in State v. Solomon Tadesse Yemame. Along with that and other responsibilities in the office, the undersigned counsel has also prepared materials for and presented at several continuing legal education seminars on behalf of the South Carolina Attorney General's Office and the South Carolina Bar.

### III.

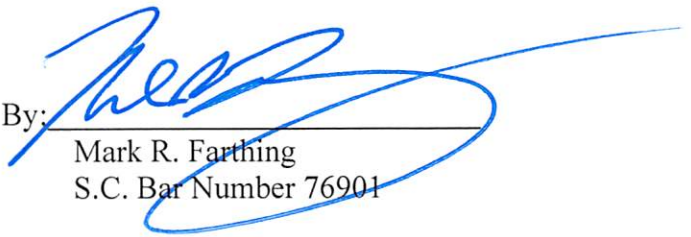
The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The Brief in the above-referenced case has required significant research because the case involves four important appellate issues, including a novel one related to Article I, Section 10 of the South Carolina Constitution. 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.

**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,

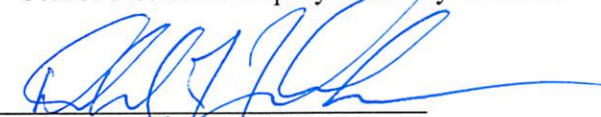
ALAN WILSON  
Attorney General

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:   
Donald J. Zelenka  
Deputy Attorney General

March 8, 2023

**RECEIVED**

**Mar 08 2023**

**SC Court of Appeals**

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Appeal from Dillon County  
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THE STATE,

Respondent,

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MARC YASIN MCKEIVER,

Appellant.

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**PROOF OF SERVICE**


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I, Leigh Ann Stone, 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 the addresses listed in AIS for the following individuals:

Dayne C. Phillips, Esquire  
dayne@pricebenowitz.com

Breen Richard Stevens, Esquire  
bstevens@sccid.sc.gov

I further certify all parties required by Rule to be served have been served.  
This 8th day of March, 2023.

  
LEIGH ANN STONE  
Legal Assistant

## Leigh Ann Stone

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**From:** Leigh Ann Stone  
**Sent:** Wednesday, March 8, 2023 4:30 PM  
**To:** Dayne Phillips; 'bstevens@pricebenowitz.com'; breenstevens@gmail.com  
**Cc:** Mark Farthing; William Blitch; Stock, Chris  
**Subject:** State v. Marc Y. Mckeiver (2022-000324)  
**Attachments:** Mckeiver.Fourth Extension Request (IBOR) (03237390xD2C78).PDF

Good Afternoon Mr. Phillips and Mr. Stevens,

Attached please find a request for a fourth extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter in The State v. Marc Y. Mckeiver (2022-000324). 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](http://scag.gov)



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