

RECEIVED
Mar 08 2023
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Jasper County
Honorable Robert J. Bonds, Circuit Court Judge
Appellate Case Tracking No. 2022-001011

The State,

Appellant,

vs.

Tommy Lee Brown,

Respondent.

**MOTION FOR THIRD EXTENSION OF TIME TO SERVE AND FILE
INITIAL BRIEF OF APPELLANT AND DESIGNATION OF MATTER**

Appellant, through its undersigned counsel, would respectfully show unto this Court:

I.

The Initial Brief of Appellant and Designation of Matter are due to be served and filed 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 Appellant moves for a third extension in the above referenced appeal. Due to the issues raised and work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief on time. Since the last extension request was granted by this Court, the undersigned has completed the Initial Brief of Respondent and Designation of Matter in Hannon v. State and In the Interest of Khalid J. and participated in the oral argument in the South Carolina Supreme Court for State v. Williams. The undersigned has spent a considerable

amount of time preparing a Petition for Writ of Certiorari and Appendix for the United States Supreme Court in State v. Brewer. The undersigned also has administrative responsibilities as the supervisor of the Criminal Appeals Section at the Attorney General's Office. The Initial Brief in this case is one of the next briefs the undersigned plans to complete.

III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would, therefore, request a third extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter.

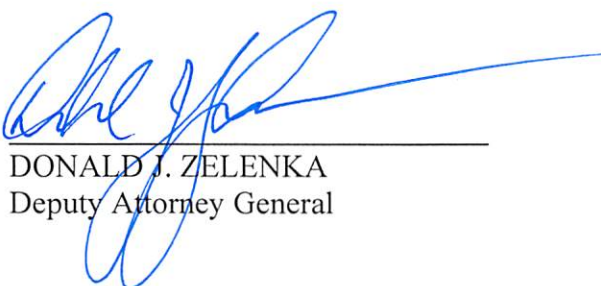
WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Appellant and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,


ALAN WILSON
Attorney General

WILLIAM M. BLITCH, JR.
Senior Assistant Deputy Attorney General

I have reviewed and approve this request:



DONALD J. ZELENKA
Deputy Attorney General



WILLIAM M. BLITCH, JR.
S.C. Bar No. 15608
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR APPELLANT

March 8, 2023

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PROOF OF SERVICE

I, Caroline Collins, certify that I have served the Motion for Third Extension of Time to Serve and File Initial Brief of Appellant and Designation of Matter on Respondent by email to Respondent's counsel of record, Jared S. Newman, at the email address provided by the Attorney Information System (AIS).

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

This 8th day of March, 2023.



CAROLINE COLLINS
Administrative Coordinator
Office of Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-3727

Caroline Collins

From: Caroline Collins
Sent: Wednesday, March 8, 2023 11:44 AM
To: Jared Newman
Cc: William Blich
Subject: The State v. Tommy Lee Brown (2022-001011)
Attachments: BROWN Tommy - Third Extension Request (IBOA) - 2022-001011 (03236901xD2C78).PDF

Good Morning Mr. Newman,

Attached please find a motion for a third extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter in The State v. Tommy Lee Brown (2022-001011). This motion will be submitted to the South Carolina Court of Appeals today via the AIS One Drive System.

If you will, please reply to confirm receipt of this email.

Thank you!

CAROLINE COLLINS, Administrative Coordinator
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