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Mar 15 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

On Writ of Certiorari to Horry County
Honorable William H. Seals, Jr., Circuit Court Judge
Appellate Case No. 2020-001265

MARCUS WRIGHT,

Petitioner,

vs.

THE STATE OF SOUTH CAROLINA,

Respondent.

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

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Brief of Respondent is due to be served and filed on March 15, 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 post-conviction relief 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. Ontavious Derenta Plumer; has filed a Petition for Rehearing with the Court of Appeals

in Charles Green, Jr. v. State; has filed an Initial Brief of Respondent with the Court of Appeals in State v. Solomon Tadesse Yemame; and has filed a Brief of Respondent with the Court of Appeals in State v. Shiquan Tyon Cwiklinski. 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 an important issue implicating the United States Supreme Court's decision in Weaver v. Massachusetts, __ U.S. __, 137 S. Ct. 1899 (2017). 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 Brief of Respondent 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,

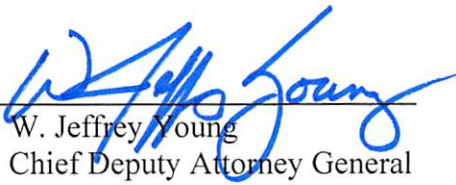
ALAN WILSON
Attorney General

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: 
W. Jeffrey Young
Chief Deputy Attorney General

March 15, 2023

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THE STATE OF SOUTH CAROLINA,


Respondent.

PROOF OF SERVICE

I, Leigh Ann Stone, certify I have served the within Motion for Fourth Extension of Time Within Which to Serve and File Brief of Respondent on Petitioner by sending an electronic copy via email to the address listed in AIS for the following individual:

J. Falkner Wilkes, Esquire
jfalknerwilkes@gmail.com

I further certify all parties required by Rule to be served have been served.
This 15th day of March, 2023.


LEIGH ANN STONE
Legal Assistant

Leigh Ann Stone

From: Leigh Ann Stone
Sent: Wednesday, March 15, 2023 11:35 AM
To: jfalknerwilkes@gmail.com
Cc: Mark Farthing; William Blitch; Erik Marcusson
Subject: Marcus D. Wright v. The State (2020-001265)
Attachments: Wright.Fourth Extension Request (BOR) (03242222xD2C78).PDF

Good Morning Mr. Wilkes,

Attached please find a copy of a request for an fourth extension of time within which to serve and file the Brief of Respondent in Marcus D. Wright v. The State (2020-001265). This request 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,

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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