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Apr 07 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 FOURTH 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 April 7, 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 fourth extension in the above referenced appeal. The undersigned believes extraordinary circumstances exist to warrant this fourth extension due to unexpected and significant staffing issues within the Post Adjudication section of the Attorney General's Office which has warranted reassignment of numerous cases and appeals and has precipitated the undersigned's oversight of the restructuring of several sections of the office. Since the last extension request was granted by this Court, the undersigned has completed the Initial Brief of

Respondent and Designation of Matter in State v. Goss, Petition for Rehearing in Pray v. State, Return to Motion to Remand and Reconstruction in State v. Smith, and participated in the oral argument in the South Carolina Supreme Court for State v. Williams. The undersigned 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, filed March 10, 2023. 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 fourth extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter.

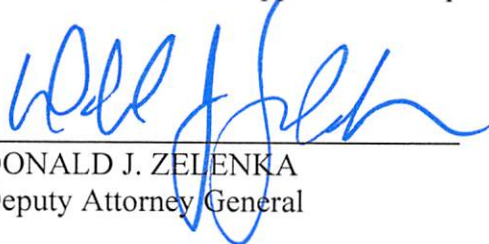
WHEREFORE, Appellant prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Appellant and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other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

April 7, 2023

ATTORNEYS FOR APPELLANT

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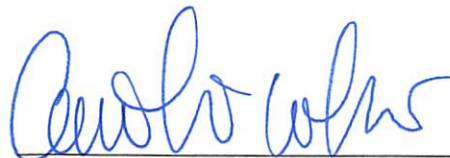
Respondent.

PROOF OF SERVICE

I, Caroline Collins, certify that I have served the Motion for Fourth 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 7th day of April, 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: Friday, April 7, 2023 8:28 AM
To: Jared Newman
Cc: William Blich
Subject: The State v. Tommy Lee Brown (2022-001011)
Attachments: BROWN Tommy - Fourth Extension Motion - 2022-001011 (03260667xD2C78).PDF

Good Morning Mr. Newman,

Attached please find a motion for a fourth 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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scag.gov



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