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Apr 24 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Newberry County
Honorable Donald B. Hocker, Circuit Court Judge
Appellate Case No. 2022-000230

THE STATE,

Respondent,

vs.

KENDRICK TREMAIN BLACKWELL,

Appellant.

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

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 April 24, 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 **third** 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 filed a Return to Petition for Writ of Certiorari with the Supreme Court

in Kadrin Singleton v. State, filed an Initial Brief of Respondent with the Court of Appeals in State v. Randall Wade Medlin and State v. Ronzell Bilah Olds; has filed a Brief of Respondent with the Court of Appeals in Shiquan Tyon Cwiklinski v. State and Marcus Wright v. State; and has filed a Petition for Rehearing with the Court of Appeals in State v. Keunte Cobbs. Along with that and other responsibilities in the office, the undersigned counsel has also participated in mandatory in-office training involving the South Carolina Department of Administration.

III.


The undersigned counsel submits this extension request is supported by good cause and is not intended for purposes of delay. The Brief in the above-referenced case has required significant research because the case involves two important issues related to the jury and the trial judge's jury instructions. 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.

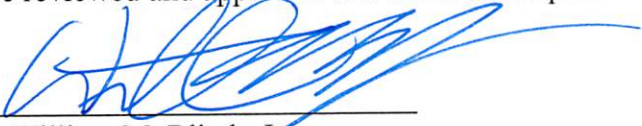
Respectfully submitted,

ALAN WILSON
Attorney General

MARK R. FARTHING
Assistant Deputy 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

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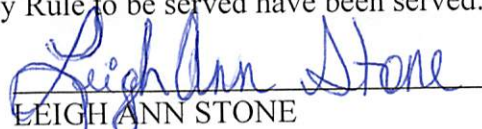
Appellant.

PROOF OF SERVICE

I, Leigh Ann Stone, certify I have served the within Motion for Third 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:

Robert M. Dudek, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211

I further certify all parties required by Rule to be served have been served.
This 24th day of April, 2023.


LEIGH ANN STONE
Administrative Coordinator
Office of the Attorney General

Leigh Ann Stone

From: Leigh Ann Stone
Sent: Monday, April 24, 2023 2:14 PM
To: rdudek@sccid.sc.gov
Cc: Mark Farthing; William Blitch; Warren, Kaylynn
Subject: State v. Kendrick T. Blackwell (2022-000230)
Attachments: Blackwell.Third Extension Request (IBOR) (03273770xD2C78).PDF

Good Afternoon Mr. Dudek,

Attached please find a request for a third extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter in The State v. Kendrick T. Blackwell (2022-000230). 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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