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Jun 12 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Honorable Edgar W. Dickson, Circuit Court Judge
Appellate Case No. 2019-001887

RODNEY C. BRYAN,

Petitioner-Respondent,

vs.

STATE OF SOUTH CAROLINA,

Respondent-Petitioner.

**MOTION FOR FOURTH EXTENSION OF TIME
TO SERVE AND FILE BRIEF OF RESPONDENT-PETITIONER**

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

I.

The Brief of Respondent-Petitioner is currently due to be served and filed on June 12, 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. Since the last request for an extension in this matter, the undersigned has filed the Return To Petition For Writ Of Certiorari in State v. Jason Edwin Stoots (2023-000601) on May 16, 2023; an Initial Brief Of

Respondent and Designation Of Matter in State v. Samuel Lee McNeil (2022-000093) on May 24, 2023; and a 23-page return to Applicant's 59(e) motion in a post-conviction relief proceeding pending in Spartanburg County, Stephanie Irene Greene v. State (2019-CP-42-01605) on June 8, 2023.

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned is currently experiencing a medical issue that temporarily keeps him from maintaining his normal work schedule and, therefore has not yet been able to complete the brief in this appeal.

Accordingly, in order to ensure the Brief is properly researched and prepared, the undersigned 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


DAVID SPENCER
Senior Assistant Attorney General

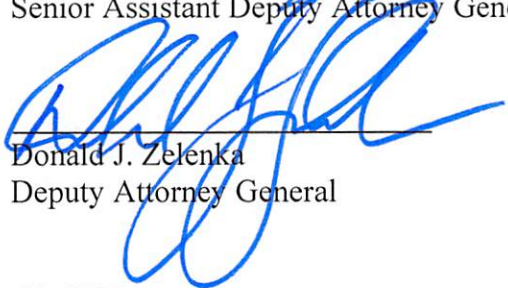
By: 

S.C. Bar Number 68571

ME
For
Dw
Spencer
2

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

June 12, 2023

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PROOF OF SERVICE

I, Anne Mueller, certify I have served the within Motion For Fourth Extension Of Time To Serve And File Brief Of Respondent-Petitioner on Petitioner-Respondent by sending an electronic copy to Lara M. Caudy, Esquire, counsel of record for the Petitioner-Appellant, to the email address listed for counsel in AIS.

I further certify all parties required by Rule to be served have been served.
This 12th day of June 2023.



Anne A. Mueller
Legal Assistant

Office of the Attorney General
P.O. Box 11549
Columbia, SC 29211-15490
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From: [Anne Mueller](#)
To: "lcaudy@sccid.sc.gov"
Cc: hbryant@sccid.sc.gov; [David Spencer](#); [Anne Mueller](#)
Bcc: [Victim Services](#)
Subject: Rodney C. Bryan v. State, Appellate Case No. 2019-001887
Date: Monday, June 12, 2023 11:03:00 AM
Attachments: [image001.png](#)
[Bryan Rodney - 2019-001887 - Motion For Fourth Extension Of Time To Serve And File Brief Of Respondent-Petitioner \(03309232xD2C78\).PDF](#)

Good morning, Mr. Stevens.

Attached to this email is the State's Motion For Fourth Extension Of Time To Serve And File Brief Of Respondent-Petitioner.

If you would, please confirm your receipt of this motion by return email. Thank you for your cooperation.

Sincerely,

Anne Mueller, Legal Assistant to Senior Assistant Attorney General David Spencer

ANNE A. MUELLER, Legal Assistant
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