

**RECEIVED**

**Jun 23 2023**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Richland County  
The Honorable Jocelyn J. Newman, Circuit Court Judge

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THE STATE,

RESPONDENT,

v.

DEMETRICK DOCTOR,

APPELLANT.

Appellate Case No. 2022-000554

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**MOTION FOR FOURTH EXTENSION OF TIME TO FILE  
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

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The undersigned counsel would respectfully request a FOURTH thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Counsel for Appellant has graciously consented to extension requests through June 30, 2023. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

Respondent's Initial Brief of Respondent and Designation of Matter is due to be filed Monday, June 26, 2023. The undersigned attorney has had a number of state, and federal matters to attend to since May 23, 2023. Specifically:

1. Counsel filed the Brief of Petitioner and Appendix in the matter of The State vs. Demontay M. Payne, Appellate Case No. 2021-001097 a Barnwell County direct appeal matter now pending in the South Carolina Supreme Court on May 23, 2023;
2. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #29] in the matter of Susan Diane Hendricks vs. Warden of Graham (Camile Griffin) Correctional Institution, C/A No. 2:22-02391-TMC-MGB on May 25, 2023;
3. Counsel also prepared the Return to Motion to Stay the Setting of An Execution Date in the Dorchester County capital matter of Marion Bowman, Jr. vs. State of South Carolina, Appellate Case No. 2002-023546 (Direct Appeal), which was filed on June 2, 2023;
4. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #12] in the matter of Tervin Goodman vs. Bryan Stirling, et al., C/A No. 2:23-00206-RMG-MGB on June 6, 2023;
5. Counsel filed the Respondent's Response in Opposition to Motion for Summary Judgment [ECF #22] in the matter of Alton Wesley Gore, Jr., #322597 vs. Warden, Lee Correctional Institution, C/A No. 4:22-4040-DCC-TER on June 8, 2023;
6. Counsel filed a Motion to Dismiss Petition in the matter of Darrell L. Goss, Sr., #305517 v. Shane D. Jackson, C/A No. 2:23-00722-BHH-MGB on June 16, 2023;
7. Counsel is currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of George S. Branham, II vs. Bryan Stirling, Director, et al., C/A No. 0:23-745-SAL-PJG; and
8. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for extraordinary circumstances shown, counsel respectfully requests a Fourth thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made in good faith, and not for the purposes of delay. This extension will make Respondent's Initial Brief due on July 26, 2023.

Respectfully Submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General  
S.C. Bar No. 14244


W. JOSEPH MAYE  
Assistant Attorney General  
S.C. Bar No. 100851

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By: s/W. Joseph Maye  
W. JOSEPH MAYE  
ATTORNEYS FOR RESPONDENT

June 23, 2023.

I support the finding of extraordinary circumstances.

By:   
MELODY J. BROWN  
Senior Assistant Deputy Attorney General

I further support the finding of extraordinary circumstances.

By: \_\_\_\_\_



DONALD J. ZELENKA  
Deputy Attorney General

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**PROOF OF SERVICE**

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I, **Donna D'Alessio**, an employee of the Respondent and legal assistant to W. Joseph Maye, of counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Fourth Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Breen R. Stevens, Esq., via email today, June 23, 2023 to [bstevens@sccid.sc.gov](mailto:bstevens@sccid.sc.gov) and to his assistant at [sleverett@sccid.sc.gov](mailto:sleverett@sccid.sc.gov).

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

This 23<sup>rd</sup> day of June, 2023.

*s/ Donna D'Alessio* \_\_\_\_\_  
Donna D'Alessio, Legal Assistant to  
W. Joseph Maye,  
Assistant Attorney General  
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