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Jun 23 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal from Lexington County
Honorable Walter J. McLeod, IV, Circuit Court Judge
Appellate Case Tracking No. 2022-001396

The State,

Respondent,

vs.

Andres Fernando Posso,

Appellant.

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

Respondent, through its undersigned counsel, would respectfully show unto this Court:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed June 23, 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 Respondent moves for a third extension in the above referenced appeal. Due to the issues raised and work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief on time. Since the last extension request was granted by this Court, the undersigned has submitted the Return to Petition for Writ of Certiorari in State v.

Carter and Cunningham v. State, and the undersigned participated in oral argument in Reese v. State. 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 third extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

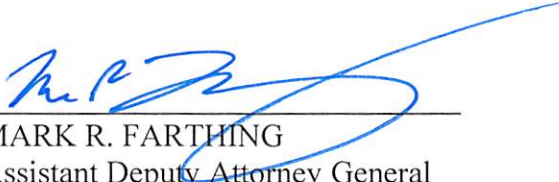
WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion, and extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty (30) days from the date such relief is granted; and for such other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


Respectfully submitted,

ALAN WILSON
Attorney General

JOSHUA A. EDWARDS
Assistant Attorney General

I have reviewed and approve this request:


MARK R. FARTHING
Assistant Deputy Attorney General


JOSHUA A. EDWARDS
S.C. Bar No. 101188
Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

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PROOF OF SERVICE

I, Caroline Collins, certify that I have served the Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by email to Appellant's counsel of record, Wanda H. Carter, 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 23rd day of June, 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, June 23, 2023 2:15 PM
To: Carter, Wanda
Cc: Leverett, Scott; Josh Edwards
Subject: The State v. Andres Fernando Posso (2022-001396)
Attachments: POSSO Andres - Third Extension Request (IBOR) - 2022-001396 (03318321xD2C78).PDF

Good Afternoon Ms. Carter,

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. Andres Fernando Posso (2022-001396). 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!

CAROLINE COLLINS, Administrative Coordinator
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