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Jul 07 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
Honorable Kirk R. Griffin, Circuit Court Judge
Appellate Case No. 2022-000449

THE STATE,

Respondent,

vs.

MAURICE JEROME PRIOLEAU,

Appellant.

**MOTION FOR FOURTH 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 today, July 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 State moves for a **fourth** 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 represented the State in a PCR hearing on June 20, 2023 in Spartanburg

County, Jody Thompson v. State of South Carolina (2022-CP-42-04095). In addition to participating in the hearing, the undersigned also drafted a proposed Order denying and dismissing the Applicant's PCR. Also on June 20, 2023, the undersigned filed a Return To Petition For Writ of Certiorari in State of South Carolina v. Brandon Jerome Clark (2023-000641). In addition to these matters, the undersigned plans to file initial briefs and designations in State of South Carolina v. Samir Kevin Shank (2022-000650) and State of South Carolina v. Eryk J'Von Smith (2022-000723).

III.

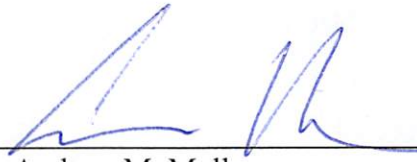
The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has 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

AMBREE M. MULLER
Assistant Attorney General

By: 
Ambree M. Muller
S.C. Bar Number 104213

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

July 7, 2023

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PROOF OF SERVICE

I, Anne Mueller, certify I have served the within Motion for Fourth Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Breen Richard Stevens, Esquire, counsel for the Appellant by sending an electronic copy to the email to the address listed for counsel in AIS.

I further certify all parties required by Rule to be served have been served.
This 7th day of July 2023.



Anne Mueller
Legal Assistant

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

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SC Court of Appeals

From: [Anne Mueller](#)
To: "bstevens@sccid.sc.gov"
Cc: [Scott Leverett \(sleverett@sccid.sc.gov\)](mailto:Scott.Leverett@sccid.sc.gov); [Ambree Muller](#); [Anne Mueller](#)
Subject: State v. Maurice Jerome Prioleau, 2023-000449
Date: Friday, July 7, 2023 4:58:00 PM
Attachments: [image001.png](#)
[Prioleau Maurice - 2023-000449 - Motion For Fourth Extension Of Time Within Which To Serve And File IBOR-DOM \(03328535xD2C78\) \(03328542xD2C78\).PDF](#)

Good afternoon.

Attached to this email is the State's motion for a fourth extension for it's initial brief and designation.

We will be filing this brief using the Court's AIS One Drive system.

Sincerely,

Anne Mueller, Legal Assistant for Assistant Attorney General Ambree M. Muller

ANNE A. MUELLER, Legal Assistant
Office of the South Carolina Attorney General
Criminal Appeals Division
Office 803-734-3727
P.O. Box 11549 @Columbia SC 29211
scag.gov



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