

RECEIVED

Jul 11 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chesterfield County
The Honorable Michael G. Nettles, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

ANDRE JUNIOR COVINGTON,

APPELLANT.

Appellate Case No. 2022-000831

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

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 July 31, 2023. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed tomorrow, Wednesday, July 12, 2023. The undersigned attorney has had a number of state, and federal matters to attend to since June 9, 2023. Specifically:

1. 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;

2. Counsel prepared and filed 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 on June 26, 2023;

3. Counsel prepared and filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Marvin Bowens Green vs. Tanya James, C/A No. 4:22-cv-4291-TIW-TER on July 5, 2023;

4. Counsel also filed the Respondent's Motion to Strike in the matter of Marvin Bowens Green vs. Tanya James, C/A No. 4:22-cv-4291-TIW-TER on July 5, 2023;

5. Counsel is currently preparing the Return to the Petition for Writ of Certiorari in the original jurisdiction matter of Tiffany Ann Sanders vs. The State of South Carolina, Appellate Case No. 2023-001010, pending in the Supreme Court of South Carolina. Same is currently due to be filed on Monday, July 17, 2023; and

6. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for extraordinary circumstances, 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 August 11, 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

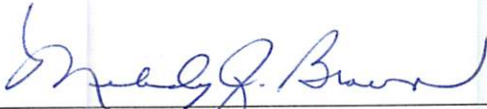
W. JOSEPH MAYE
Assistant Attorney General
S.C. Bar No. 100851

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211-1549
(803) 734-6305

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

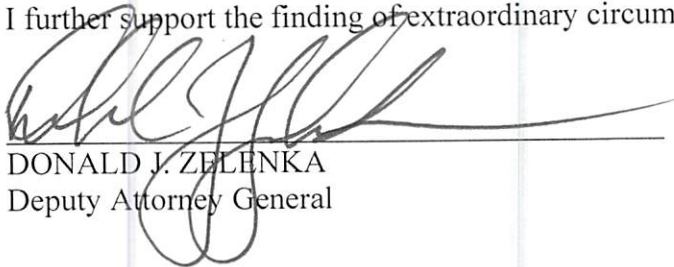
July 11, 2023.

I support the finding of extraordinary circumstances.



MELODY J. BROWN
Senior Assistant Deputy Attorney General

I further support the finding of extraordinary circumstances.



DONALD J. ZELENKA
Deputy Attorney General

RECEIVED

Jul 11 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chesterfield County
The Honorable Michael G. Nettles, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

ANDRE JUNIOR COVINGTON,

APPELLANT.

Appellate Case No. 2022-000831

PROOF OF SERVICE

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, Kathrine Hudgins, Esq., via email today, July 11, 2023 to KHudgins@sccid.sc.gov and to her assistant at cstock@sccid.sc.gov.

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

This 11th day of July, 2023.

s/ Donna D'Alessio

Donna D'Alessio, Legal Assistant to
W. Joseph Maye,
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211-1549
(803) 734-6305