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Aug 09 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
Honorable Debra R. McCaslin, Circuit Court Judge

Appellate Case No. 2022-000774

THE STATE,

Respondent,

vs.

ANGEL MISAEL IBARRA,

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, August 9, 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. Since requesting the last extension, the undersigned counsel has filed a Petition For Rehearing in Mack Washington, Jr. v. State (2018-000182); an Initial Brief and Designation of Matter in Andres Fernando Posso (2022-001396); and a Brief of Respondent in State v. Adam Rowell (2022-000571).

III.

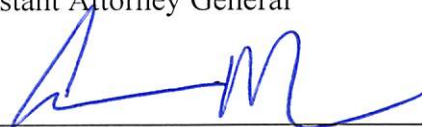
The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has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

JOSHUA A. EDWARDS
Assistant Attorney General

For
By: 
Joshua A. Edwards
S.C. Bar Number 101188

I have reviewed and approved this extension request.

By: 
Mark R. Farthing
~~Senior~~ Assistant Deputy Attorney General

By: 
Donald J. Zelenka
Deputy Attorney General

August 8, 2023

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STATE OF SOUTH CAROLINA
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Honorable Debra R. McCaslin, Circuit Court Judge

Appellate Case No. 2022-000774

THE STATE,

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vs.


ANGEL MISAEL IBARRA,

Appellant.

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 Wanda H. Carter, Esquire, counsel for the Appellant by sending an electronic copy to the email to the electronic mail address listed for counsel in AIS.

I further certify all parties required by Rule to be served have been served.
This 9th day of August 2023.



Anne Mueller
Legal Assistant

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

From: [Anne Mueller](#)
To: [Wanda Carter](#)
Cc: [Scott Leverett \(sleverett@scid.sc.gov\)](mailto:sleverett@scid.sc.gov); [David Spencer](#); [Grace Sommer](#); [Anne Mueller](#)
Subject: State v. Angel Misael Ibarra, 2022-000774
Date: Wednesday, August 9, 2023 11:57:00 AM
Attachments: [image001.png](#)
[Ibarra Angel - Motion For Fourth Extension Of Time Within Which To Serve And File IBOR DOM \(03358660xD2C78\).PDF](#)

Good morning, Ms. Carter.

Attached to this email is the State's Motion For Fourth Extension Of Time Within Which To Serve And File Initial Brief Of Respondent And Designation Of Matter.

We will be filing the motion shortly using AIS One Drive.

Sincerely,

Anne Mueller

Legal Assistant

ANNE A. MUELLER, Legal Assistant
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