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Sep 22 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Newberry County
The Honorable Frank R. Addy, Jr., Circuit Court Judge

Appellate Case No: 2023-000274

THE STATE,

Appellant,

vs.

JONATHAN C. DAWKINS,

Respondent.

**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH TO SERVE AND
FILE THE INITIAL BRIEF OF APPELLANT AND DESIGNATION OF MATTER**

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

I.

The Initial Brief of Appellant and Designation of Matter are due to the Court today, pursuant to three previous extensions granted by the Court.

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 Appellant moves for a fourth extension in the above referenced appeal. Due to work required in other cases pending before this Court, the undersigned counsel is unable to complete this Brief on time. Since the last extension was granted in this matter, on August 25, 2023, the undersigned counsel filed a Final Brief of Respondent in The State v. Samir Kevin Shank (2022-000650). On

August 28, 2023, the undersigned counsel filed an Initial Brief of Respondent and Designation of Matter in The State v. Sheena Alston (2022-001305). On August 29, 2023, the undersigned counsel filed a Brief of Petitioner with the South Carolina Supreme Court in The State v. Phillip Wayne Lowery (2022-000806). On September 1, 2023, the undersigned counsel filed a Final Brief of Respondent in The State v. Eryk J'Von Smith (2022-000723). On September 5, 2023, the undersigned counsel filed a Return to Petition for Writ of Certiorari in Darius Hamilton v. State of South Carolina (2023-000072). On September 12, 2023, the undersigned counsel filed a Final Brief of Respondent in The State v. Maurice Jerome Prioleau (2022-000449). On September 14, 2023, the undersigned counsel filed a Final Brief of Respondent in The State v. Jiovaani Aranza Gallegos (2021-000689). On September 20, 2023, the undersigned counsel filed a Return to Petition for Writ of Certiorari in Rajshun Bernard Foster v. State of South Carolina (2023-000687). On September 21, 2023, the undersigned counsel filed an Initial Brief of Respondent and Designation of Matter in The State v. Israel Mendoza Cervantes (2022-001214). Counsel would therefore request an extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter.

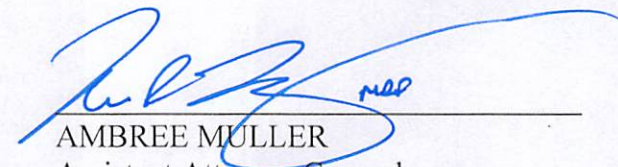
III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Appellant and Designation of Matter in this case for thirty (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

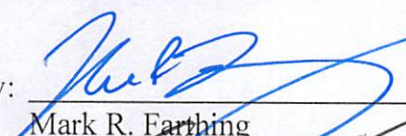
ALAN WILSON
Attorney General

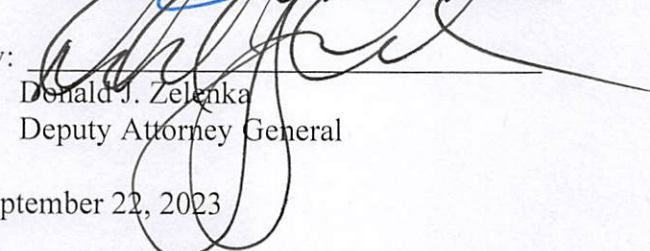
For  *ms*

AMBREE MULLER
Assistant Attorney General
S. C. Bar No: 104213

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Post Office Box 11549
Columbia, SC 29211
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I have reviewed and approved this extension request. ATTORNEYS FOR RESPONDENT

By: 
Mark R. Farthing
Senior Assistant Deputy Attorney General

By: 
Donald J. Zelenka
Deputy Attorney General

September 22, 2023

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PROOF OF SERVICE

I, Grace Sommer, certify that I have served the Motion for Extension of Time on Robert M. Dudek, Esquire, counsel of record for the Respondent, by sending one copy by electronic mail to the address listed for counsel in AIS.

I further certify that all parties required by Rule to be served have been served.
This 22nd day of September, 2023.



GRACE SOMMER

Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3737

Grace Sommer

From: Grace Sommer
Sent: Friday, September 22, 2023 11:59 AM
To: Dudek, Robert
Cc: Ambree Muller; Pollard, Shelby
Subject: The State v. Jonathan C. Dawkins (2023-000274)
Attachments: DAWKINS Jonathan - Fourth Extension Request (State's IBOA) (03394952xD2C78).PDF

Good Afternoon Mr. Dudek,

Attached please find a request for a fourth extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter in The State v. Jonathan C. Dawkins (2023-000724). This request will be filed today with the South Carolina Court of Appeals via the AIS OneDrive System.

If you will, please confirm receipt of this email.

Thank you,

Grace Sommer, Legal Assistant
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