

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Greenville County
The Honorable G.D. Morgan, Jr., Circuit Court Judge

Appellate Case No: 2022-001293

STATE OF SOUTH CAROLINA,

Respondent,

vs.

MICHAEL J. KENNEDY,

Appellant.

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

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

I.

The Initial Brief of Respondent and Designation of Matter are due to the Court today, pursuant to two 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 Respondent moves for a third 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, the undersigned counsel submitted an Initial Brief of Appellant and Designation of Matter, on October 16, 2023, in The State v. Jonathan

C. Dawkins (2023-000274). On November 1, 2023, the undersigned counsel filed a Final Brief of Respondent in Israel Mendoza Cervantes (2022-001214). Counsel would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

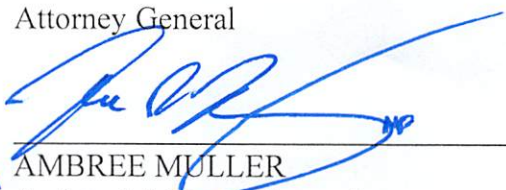
III.

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 Respondent 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

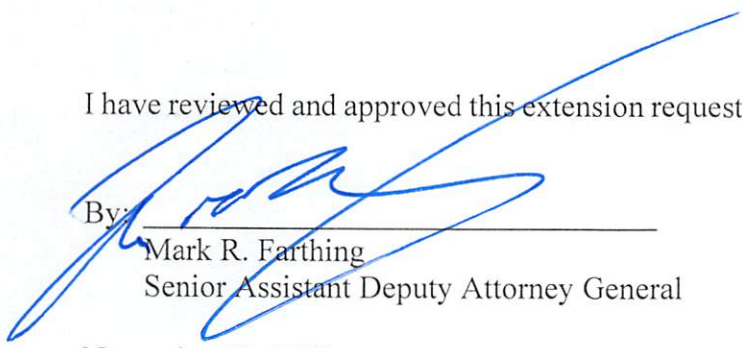


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ATTORNEYS FOR RESPONDENT

I have reviewed and approved this extension request.



By: Mark R. Farthing
Senior Assistant Deputy Attorney General

November 13, 2023

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Nov 13 2023

SC Court of Appeals

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Appeal From Greenville County
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PROOF OF SERVICE

I, Grace Sommer, certify that I have served the Motion for Extension of Time on Kathrine H. Hudgins, Esquire, counsel of record for the Appellant, 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 13th day of November 2023.



GRACE SOMMER
Legal Assistant

Office of Attorney General
Post Office Box 11549
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(803) 734-3737

Grace Sommer

From: Grace Sommer
Sent: Monday, November 13, 2023 11:36 AM
To: Hudgins, Kathrine
Cc: Ambree Muller; Stock, Chris
Subject: The State v. Michael J. Kennedy (2022-001293)
Attachments: KENNEDY Michael - Third Extension Request (IBOR) (03434830xD2C78).PDF

Good Morning Ms. Hudgins,

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. Michael J. Kennedy (2022-001293). 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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