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Nov 13 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From York County
The Honorable Brian M. Gibbons, Circuit Court Judge
Appellate Case No: 2022-000579

THE STATE,

Respondent,

vs.

HAROLD GENE WHITE, III,

Appellant.

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

Respondent, State of South Carolina, hereby moves for a fifth extension of time to file the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal. Respondent submits the following:

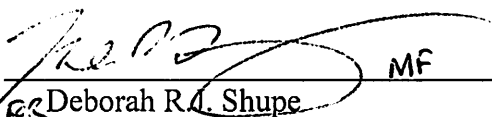
1. The Initial Brief of Respondent and Designation of matter are due to be filed and served November 13, 2023, pursuant to a fourth extension. Respondent requests a fifth extension to serve and file these documents, which is not made for the purpose of delay, but due to a heavy workload, the recent assignment of case, and the recent request for exhibits needed from Clerk of Court's Office.
2. Counsel has worked on the Initial Brief and Designation of Matter but has been unable to complete them prior to the due date. Counsel assures the Court completion of the Brief is a high priority, and she will work diligently to complete it. Formerly assigned to Senior Assistant Attorney General David Spencer, counsel recently was assigned to this case.

Based on the foregoing, counsel for the Respondent respectfully requests that this Court grant a fifth extension of time in which to file and serve the Initial Brief of Respondent and Designation of Matter, and that all deadlines be held in abeyance pending resolution of this Motion.

Respectfully submitted,

ALAN WILSON
Attorney General

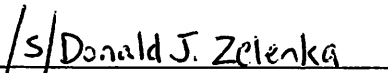
DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

By:  MF
Deborah R.J. Shupe

ATTORNEYS FOR RESPONDENT
Post Office Boc 11549
Columbia, South Carolina 29211
(803) 734-3970

I have reviewed and approved this extension request.

DONALD J. ZELENKA
Deputy Attorney General

BY: 
Donald J. Zelenka

November 13, 2023

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PROOF OF SERVICE

I, Grace Sommer, certify that I have served the Motion for Extension of Time on Joanna K. Delany, Esquire, counsel of record for the Appellant, by sending it to her 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
Columbia, SC 29211
(803) 734-3737

Grace Sommer

From: Grace Sommer
Sent: Monday, November 13, 2023 11:27 AM
To: Delany, Joanna
Cc: Mcinnis, Sara; Deborah Shupe
Subject: The State v. Harold Gene White, III (2022-000579)
Attachments: WHITE Harold - Fifth Extension Request (IBOR) (03434787xD2C78).PDF

Good Morning Ms. Delany,

Attached please find a request for a fifth extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter in The State v. Harold Gene White, III (2022-000579). 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
South Carolina Attorney General's Office
Criminal Appeals | Office 803-734-3835 | gracesommer@scag.gov
P.O. Box 11549 | Columbia, SC 29211
scag.gov



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