

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
The Honorable Perry H. Gravely, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

SOSA MANDIEZ CROFT,

APPELLANT.

Appellate Case No. 2022-001771

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

The undersigned counsel would respectfully request a SECOND 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 December 31, 2023. In support of this motion, counsel would respectfully show the Court the following circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed today, December 6, 2023. The undersigned attorney has had a number of state, and federal matters to attend to since November 6, 2023. Specifically:

1. Counsel prepared the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Michael Wilson Pearson vs. Warden of Evans Correctional Institution, 5:23-cv-2693-CMC-KDW on November 6, 2023;

2. Counsel prepared the Returns to Applications for Post-Conviction Relief in three (3) Greenville County post-conviction matters;

3. Counsel appeared before the South Carolina Supreme Court for oral argument on behalf of the State in the matter of The State vs. Montrelle L. Campbell, Appellate Case No. 2022-000349, a Charleston County direct appeal matter on Wednesday, November 15, 2023;

4. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #47] in the matter of James C. Whaley, #1001117, a/k/a James C. Whaley, #357132 vs. Nick Gallam, C/A No. 4:23-2473-HMH-TER on November 16, 2023;

5. Counsel was out of the office for six (6) days due to family illness and personal illness;

6. Counsel prepared the Respondent's Motion and Memorandum to Prohibit *Ex Parte* Funding Requests and Orders in the Lexington County capital matter of Norman Starnes vs. The State of South Carolina, 2011-CP-32-830 on November 17, 2023;

7. Counsel is currently preparing the Initial Brief of Respondent in the matter of The State vs. Zachir D. McCall, Appellate Case No. 2022-000921, a Marion County direct appeal matter now pending in the South Carolina Court of Appeals. Same is currently due to be filed on January 3, 2024; and

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

WHEREFORE, for the following extraordinary circumstances, counsel respectfully requests a SECOND 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 January 5, 2024.

Respectfully Submitted,

ALAN WILSON
Attorney General

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

December 6, 2023.

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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 Second Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Breen Stevens, Esq., via email today, December 6, 2023 to BStevens@sccid.sc.gov and to his assistant at sleverett@sccid.sc.gov.

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

This 6th day of December, 2023.

s/ Donna D'Alessio

Donna D'Alessio, Legal Assistant to
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