

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 SIXTH 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 sixth 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 December 13, 2023, pursuant to a fifth extension. Respondent requests a sixth extension to serve and file these documents, which is not made for the purpose of delay, but due to extraordinary circumstances, including the recent assignment of this case, and the need for a scheduled meeting with representatives from the Solicitor's Office to discuss the prosecution below. In addition, to work on the brief in this case and other cases, the undersigned counsel has attended to other responsibilities – including supervisory and administrative duties – in the 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. The Brief in the above-referenced case has required significant research because the case involves two important issues related to the admission of

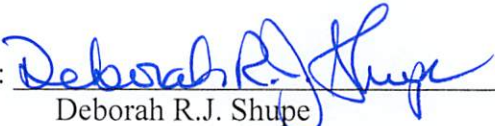
evidence at trial. Counsel assures the Court completion of the Brief is a high priority, and she will work diligently to complete it. This case was originally assigned to Senior Assistant Attorney General David Spencer, who requested and received four extensions before this case was reassigned. This is the second extension requested by the undersigned counsel.

Based on the foregoing, counsel for the Respondent respectfully requests that this Court grant a sixth 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

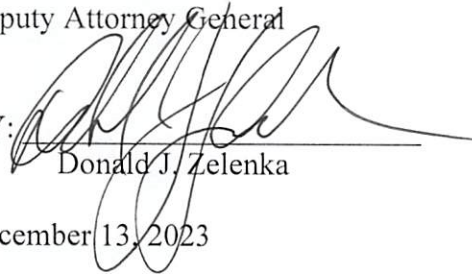
DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

By: 
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

December 13, 2023

RECEIVED

Dec 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.

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 December, 2023.



Grace Sommer
Legal Assistant

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