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Jan 03 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
The Honorable Perry H. Gravely, Circuit Court Judge
Appellate Case No. 2023-000575

THE STATE,

Respondent,

vs.

KENNETH WAYNE SIGNOR, Sr.,

Appellant.

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

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on January 3, 2024.

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 State moves for a **fifth** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. Earlier this week, the undersigned filed an Initial Brief of Respondent and Designation of Matter in the Court of Appeals in The

State v. Ariel S. Robinson (2022-000716). Additionally, the undersigned has filed a Final Brief of Respondent in the Court of Appeals in The State v. Shannon Lane Bone (2022-000873), a Return to Petition for Writ of Certiorari in the Supreme Court in Sylvester D. Scott v. State of South Carolina (2023-000624), and a Petition for Rehearing in the Court of Appeals in The State v. Donnielle K. Matthews (2021-000677).

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Brief due to a heavy workload and other significant challenges. Accordingly, in order to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

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 days from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

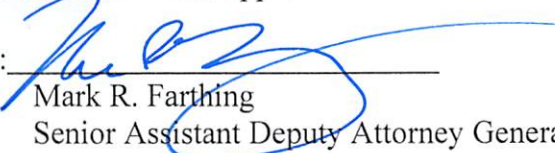
ALAN WILSON
Attorney General

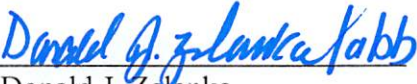
AMBREE M. MULLER
Assistant Attorney General

By: 

Ambree M. Muller

I have reviewed and approved this extension request.

By: 
Mark R. Farthing
Senior Assistant Deputy Attorney General

By: 
Donald J. Zelenka
Deputy Attorney General

January 3, 2024

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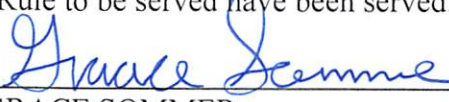
Appellant.

PROOF OF SERVICE

I, Grace Sommer, certify I have served the within Motion for the Fifth Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the address listed in AIS for the following individual:

Mr. Charles Thomas Brooks, III
Law Office of Charles T. Brooks, III
309 Broad St.
Sumter, SC 29150

I further certify all parties required by Rule to be served have been served.
This 3rd day of January, 2024.


GRACE SOMMER
Legal Assistant
Office of the Attorney General