

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 SEVENTH AND FINAL EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE THE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent, State of South Carolina, hereby moves for a **seventh** and **final** 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 January 12, 2024, pursuant to a sixth extension. Respondent requests a seventh 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 additional cases due to the death of a colleague and the recent departure of another attorney. In addition to work on the briefs in this case and other cases, the undersigned counsel has attended to other responsibilities – including supervisory and administrative duties – in and out of the office. Further, completion of this and other documents has been hampered by significant technical issues with the office’s document management software.

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 third extension requested by the undersigned counsel.

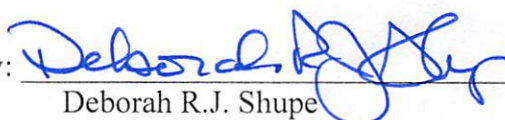
3. Please be advised that the State and Appellate Defense continue to consent to any requests for extensions or out-of-time filings. This limited consent applies to requests up to and including January 31, 2024.

Based on the foregoing, counsel for the Respondent respectfully requests that this Court grant a seventh and final 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

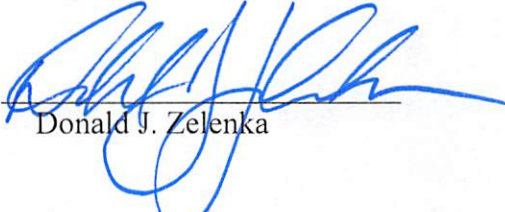
By: 
Deborah R.J. Shupe

ATTORNEYS FOR RESPONDENT

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I have reviewed and approved this extension request.

DONALD J. ZELENKA
Deputy Attorney General

BY: 
Donald J. Zelenka

W. JEFFERY YOUNG
Chief Deputy Attorney General

BY: 
W. Jeffery Young

January 12, 2024

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Jan 12 2024

SC Court of Appeals

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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 12th day of January, 2024.



Grace Sommer
Legal Assistant

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(803) 734-3737