

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
Honorable Edward W. Miller, Circuit Court Judge
Appellate Case Tracking No. 2023-000483

THE STATE, Respondent,
vs.
LILLIAN MAE BATES, Appellant.

**MOTION OUT OF TIME FOR FIRST EXTENSION
WITHIN WHICH TO SERVE AND FILE
INITIAL BRIEF OF RESPONDENT**

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent was due to be served and filed January 25, 2024. Due to a failure to calendar the due date, the undersigned asks this Court to accept the motion out of time.

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 Respondent moves for a first extension in the above referenced appeal. Due to work required in other cases pending before this Court and the South Carolina Supreme Court, I am unable to complete this brief on time. The undersigned has completed several initial briefs,

Returns to Petition for Writ of Certiorari, and Briefs of Respondent. In addition, counsel participated in oral argument in this Court.


III.

This extension request is not intended for purposes of delay, but rather to ensure the Brief is properly researched and prepared. I would therefore request a first extension of time within which to serve and file the Initial Brief of Respondent.

WHEREFORE, Respondent prays that the Court hold this matter in abeyance until ruling on this motion and extend the deadline for the service and filing of the Initial Brief of Respondent in this case for thirty (30) days from the date such relief is granted; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General



JOSHUA A. EDWARDS
Assistant Attorney General

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ATTORNEYS FOR RESPONDENT

January 30, 2024

RECEIVED

Jan 30 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

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Honorable Edward W. Miller, Circuit Court Judge
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THE STATE,

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vs.

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Appellant.

CERTIFICATE OF SERVICE

I, Anne A. Mueller, certify that I have served the Motion For Third Extension Of Time Within Which To Serve And File Initial Brief of Respondent on Jessica M. Saxon, Esquire, counsel for the Appellant, 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 30th day of January 2024.


Anne A. Mueller
Legal Assistant

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(803) 734-3727

From: [Anne Mueller](#)
To: "jsaxon@sccid.sc.gov"
Cc: [Stock, Chris \(cstock@sccid.sc.gov\)](#); [Josh Edwards](#)
Bcc: [Victim Services](#)
Subject: State v. Lillian Mae Bates, 20213-000483
Date: Tuesday, January 30, 2024 4:18:00 PM
Attachments: [Bates Lillian - 2022-001729 - Motion Out Of Time For First Extension To Serve And File Initial Brief Of Respondent \(03491175xD2C78\).PDF](#)
[image001.png](#)

Good afternoon.

Attached is a Motion Out Of Time For First Extension Within Which To Serve And File Initial Brief Of Respondent. We will be filing the motion with the Court this afternoon electronically.

ANNE A. MUELLER, Legal Assistant
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