

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 FOURTH EXTENSION OF TIME TO FILE
INITIAL BRIEF OF RESPONDENT AND DESIGNATION OF MATTER**

The undersigned counsel would respectfully request a FOURTH 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 February 29, 2024. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed today, February 5, 2024. The undersigned attorney has had a number of state, and federal matters to attend to since January 5, 2024. Specifically:

1. Counsel filed the Respondent's Reply to Petitioner's Objections to the Report and Recommendation [ECF #20] in the matter of Tervin Goodman vs. Bryan Stirling and Warden Broad River Correctional Institution, C/A No. 2:23-cv-206-RMG-MGB on January 9, 2024;
2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Chris Anthony Liverman vs. SC Dept. of Corrections, C/A No.: 9:23-03205-JD-MHC on January 10, 2024;
3. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Earnest Vaughn vs. Warden Turbeville Correctional Institution, C/A No. 6:23-cv-4220-BHH-KFM on January 11, 2024;
4. Counsel prepared for and attended the Greenville County Post-Conviction Relief term of court scheduled for Wednesday, January 17, 2024. Counsel presented five (5) post-conviction relief matters;
5. Counsel was out of the office on January 22nd and January 23, 2024;
6. Counsel prepared the Post-Hearing Memorandum of Respondent in the matter of Dwayne C. Tallent, #357180 vs. State of South Carolina, Case No. 2022-CP-23-00973, a Greenville County post-conviction relief matter on January 26, 2024;
7. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #25] in the matter of Anthony Jones vs. S. Jackson Warden, C/A No. 5:23-4879-TMC-KDW, on February 2, 2024;
8. Counsel also filed the Respondent's Reply to Petitioner's Motion Pursuant to Rules 52(b) and 60(b) in the matter of Vernon Goodwin vs. Kenneth Nelsen, Warden of Broad River Correctional Institution, C/A No. 4:21-2051-TMC on February 2, 2024;

9. Counsel also filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #31] in the matter of Earnest Vaughn vs. Warden Turbeville Correctional Institution, C/A No. 6:23-cv-4220-BHH-KFM on February 2, 2024; and

10. Counsel is also currently preparing the Initial Brief of Respondent in the matter of The State vs. Quinteris J. Carmichael, Appellate Case No. 2023-000162.

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

WHEREFORE, for the following extraordinary circumstances, counsel respectfully requests a FOURTH 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 March 6, 2024.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General
S.C. Bar No. 14244

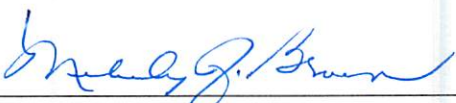
W. JOSEPH MAYE
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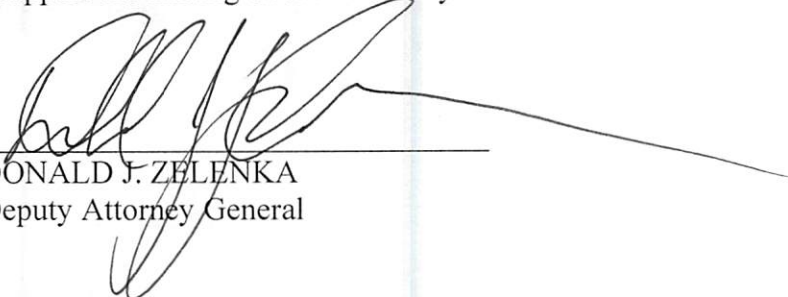
By: s/W. Joseph Maye
W. JOSEPH MAYE
ATTORNEYS FOR RESPONDENT

February 5, 2024.

I support the finding of extraordinary circumstances.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

I further support the finding of extraordinary circumstances.

By: 
DONALD J. ZELENIKA
Deputy Attorney General

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SC Court of Appeals

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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 Fourth 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, February 5, 2024 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 5th day of February, 2024.

s/ Donna D'Alessio
Donna D'Alessio, Legal Assistant to
W. Joseph Maye,
Assistant Attorney General
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