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Feb 20 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
Honorable R. Scott Sprouse, Circuit Court Judge

JASON ERVIN BLACK,

Respondent-Petitioner,

v.

STATE OF SOUTH CAROLINA,

Petitioner-Respondent.

Appellate Case No. 2021-000525

**MOTION FOR FOURTH EXTENSION OF TIME TO FILE
INITIAL BRIEF OF PETITIONER-RESPONDENT AND
APPENDIX**

Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Initial Brief of Respondent and Designation of Matter, which is currently due to be filed today, Tuesday, February 20, 2024. Opposing counsel has graciously consented to all extension requests through February 29, 2024. In support of this motion, counsel would respectfully show the Court the following:

1. Counsel completed and filed the Initial Brief of Respondent on January 29, 2024, in the matter of The State v. Jarvise Terrell Jenkins, Appellate Case No. 2023-000197 a matter pending in this Court;

2. Counsel also participated in a conference call on Friday, February 9, 2024, regarding a pending capital matter, Bobby Wayne Stone. Counsel is aiding in preparations for an evidentiary hearing set for June 10, 2024, on the issue of Intellectual Disability.
3. Counsel completed and filed the Initial Brief of Appellant on February 14, 2024, in the matter of The State v. Anijah Yarnell, Appellate Case No. 2023-000571, a matter pending in this Court;
4. Appellant is working on the Initial Brief of Respondent and Designation of Matter in the case of The State vs. Osman Shareef Shabazz Jr., Appellate Case No. 2022-001387, a matter pending in this Court which is on Fifth Extension and due today, February 20, 2023;

Due to counsel's involvement in these and other matters in state and federal court, counsel has been unable to complete, the Brief of Petitioner-Respondent in this action prior to the due date prescribed. This request is made in good faith, and not for the purposes of delay. This is counsel's fourth request for additional time to do so.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

JULIANNA E. BATTENFIELD
Assistant Attorney General

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Columbia, South Carolina, 29211
(803) 734-6305

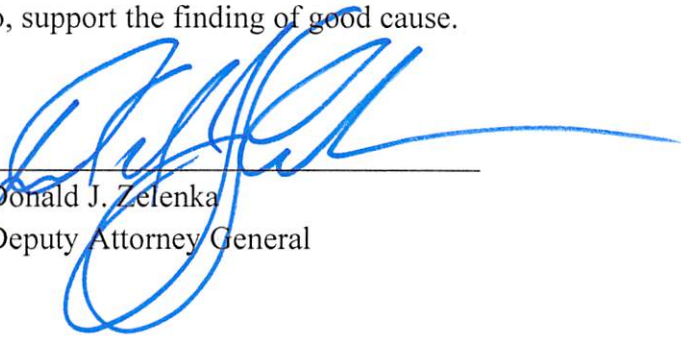
By: s/Julianna E. Battenfield
Julianna E. Battenfield
Attorney for Petitioner-Respondent

February 20, 2024.

I support the finding of good cause.

By: 
Melody J. Brown
Senior Assistant Deputy Attorney General

I, too, support the finding of good cause.

By: 
Donald J. Zelenka
Deputy Attorney General

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CERTIFICATE OF SERVICE

I, Julianna E. Battenfield, Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Fourth Extension to file the Brief of Petitioner-Respondent, and Certificate of Service have been forwarded to Appellant's counsel, David Alexander, Esq., via email today, February 20, 2024 to DAlexander@sccid.sc.gov and to Mr. Alexander's assistant, Shelby Pollard, SPollard@sccid.sc.gov.

I further certify that all parties required by Rule to be served have been served.

This 20th day of February 2024.

s/Julianna E. Battenfield
Julianna E. Battenfield
Assistant Attorney General

Brandy Rankin

From: Brandy Rankin
Sent: Tuesday, February 20, 2024 1:11 PM
To: Alexander, David
Cc: spollard@sccid.sc.gov; Julianna Battenfield
Subject: Jason Ervin Black v. State of South Carolina - Appellate Case No. 2021-000525
Attachments: Fourth Extension Request to file Brief of Petitioner-Respondent and Appendix, 2-20-24 (03508741xD2C78).pdf

Dear Mr. Alexander,

Please find attached the Petitioner-Respondent's Fourth Extension Request to file the Brief and Appendix in the above captioned case. These documents will be filed with the South Carolina Cour of Appeals today, February 20, 2024 along with a copy of this email.

Thank you!

Sincerely,
Brandy Rankin

Brandy Rankin, Legal Assistant to Julianna E. Battenfield
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
803-734-6305



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