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Mar 05 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Greenville County  
The Honorable Perry H. Gravely, Circuit Court Judge

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THE STATE,

RESPONDENT,

v.

SOSA MANDIEZ CROFT,

APPELLANT.

Appellate Case No. 2022-001771

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

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Respondent, the State, moves this Court for an additional thirty (30) day extension of time up to and including April 5, 2024, in which to file the Initial Brief of Respondent and Designation of Matter, which is currently due to be filed tomorrow, March 6, 2024. Counsel for Petitioner has graciously consented to extension requests through March 31, 2024. This is Respondent's Fifth request for an extension of time in which to file the Brief. In support of the request, undersigned counsel for Respondent would respectfully show unto the Court the following:

1. Counsel filed the Initial Brief and Designation of Matter on February 12, 2024, in the matter of The State v. Charles Jason Carmichael, Appellate Case No. 2022-001717, a murder appeal pending in this Court;

2. Counsel filed the Reply to Objections to Report and Recommendations [ECF#19] on February 13, 2024 in the matter of Devin Middleton vs. Shane Jackson, Warden of Lee Correctional Institution, C/A No. 5:22-04647-BHH, a matter pending in the District Court;

3. Counsel filed the Final Brief of Respondent in the matter of The State vs. Zachir D. S. McCall, on February 14, 2024, a Marion County murder appeal, Appellate Case No. 2022-000921, currently pending in this Court;

4. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #27] on February 23, 2024, in the matter of Chris Anthony Liverman vs. SCDC, Warden of Tallahatchie County Correctional Facility, C/A No. 9:23-3205-JD-MHC, a matter pending in the District Court;

5. Counsel filed the Initial Brief and Designation of Matter on March 4, 2024, in the case of The State vs. Quinterious R. Truesdale, Appellate Case No. 2022-000903, a matter pending in this Court.

Due to counsel's involvement in these and other matters in state and federal court, counsel is unable to complete the Initial Brief of Respondent and Designation of Matter in this action by the due date prescribed. This request is made in good faith, and not for the purposes of delay. Thus, counsel respectfully requests a thirty (30) day extension of time to allow counsel to complete the Initial Brief of Respondent.

WHEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days up to and including April 5, 2024, to complete the Initial Brief of Respondent in this 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  
Fed. ID No. 13441

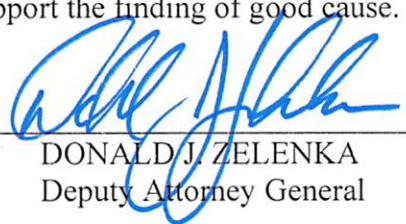
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
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By: s/ W. Joseph Maye

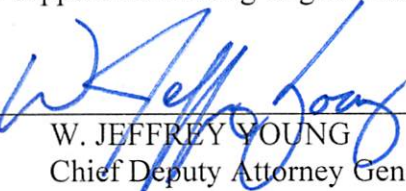
March 5, 2024.

ATTORNEYS FOR RESPONDENT

I support the finding of good cause.

By:   
DONALD J. ZELENKA  
Deputy Attorney General

I too support the finding of good cause.

By:   
W. JEFFREY YOUNG  
Chief Deputy Attorney General

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**PROOF OF SERVICE**

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I, W. Joseph Maye, Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Petition for Fifth Extension of Time to File Initial Brief of Respondent and Designation of Matter, has been forwarded to Petitioner's counsel, Breen Stevens, Esq., via email today, March 5, 2024 to [Bstevens@sccid.sc.gov](mailto:Bstevens@sccid.sc.gov), and to his assistant, Scott Leverett at [Sleverett@sccid.sc.gov](mailto:Sleverett@sccid.sc.gov).

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

This 5<sup>th</sup> day of March 2024.

s/W. Joseph Maye  
W. Joseph Maye  
Assistant Attorney General