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Mar 22 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
The Honorable D. Craig Brown, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

TIRIK JAQUAN JOHNSON-EPPS,

APPELLANT.

Appellate Case No. 2023-000179

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

The undersigned counsel would respectfully request a SECOND 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 March 31, 2024. In support of this motion, counsel would respectfully show the Court the following circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed Monday, March 25, 2024. The undersigned attorney has had a number of state, and federal matters to attend to since February 21, 2024. Specifically:

1. 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;

2. 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;

3. Counsel filed the Respondent's Response to Petitioner's Motion for State Court Records [ECF #36] in the matter of Darrell L. Goss, #305517 vs. Shane D. Jackson, C/A No. 2:23-00722-BHH-MGB on March 11, 2024;

4. Counsel prepared the Respondent's Reply to Response in Opposition to Motion for Summary Judgment [ECF #51], a Reply to Petitioner's Motion [ECF #50], and Respondent's Motion to Strike in the matter of Michael Wilson Pearson vs. Warden of Evans Correctional Institution, 5:23-cv-2693-CMC-KDW on March 12, 2024;

5. Counsel filed the Respondent's Response in Opposition to Rule 59 (e) Motion [ECF #80] in the matter of Darrell L. Goss, Sr., #305517 vs. Warden Shane D. Jackson, C/A No. 2:22-00103-BHH on March 21, 2024;

6. Counsel is currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Quincy McCants vs. State of South Carolina, C/A No. 1:23-05377-TMC-SVH; and

7. Counsel is also preparing the Initial Brief of Respondent in the matter of The State vs. Sosa M. Croft, Appellate Case No. 2022-001771, a Greenville County murder appeal matter now pending in this court;

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

WHEREFORE, for the following circumstances, counsel respectfully requests a SECOND 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 April 24, 2024.

Respectfully Submitted,

ALAN WILSON
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By: s/W. Joseph Maye
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ATTORNEYS FOR RESPONDENT

March 22, 2024.

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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 Second Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Robert M. Dudek, Esq., via email today, March 22, 2024 to rdudek@sccid.sc.gov and to his assistant at spollard@sccid.sc.gov.

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

This 22nd day of March, 2024.

s/ Donna D'Alessio
Donna D'Alessio, Legal Assistant to
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Assistant Attorney General
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