

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Horry County  
Honorable Michael S. Holt, Circuit Court Judge  
Appellate Case No. 2023-000299

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THE STATE,

Respondent,

vs.

COREY TYLER BUSCH,

Appellant.

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**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH  
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT  
AND DESIGNATION OF MATTER**

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Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

**I.**

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on April 24, 2024.

**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 State moves for a **third** extension in the above-referenced post-conviction relief appeal and asks for an additional thirty days to complete the brief in this case. Earlier today, the undersigned counsel filed the Final Brief of Appellant and Record on Appeal in the Court of

Appeals in State v. Justin Tyler Anderson. In the past few weeks, the undersigned counsel has submitted a response to a pro se filing at the request of the Court of Appeals in State v. Bryan Murray; has filed an Initial Brief of Respondent and Designation of Matter in the Court of Appeals in State v. Joquell Wayne Myers; has filed a Return to Petition for Writ of Certiorari in the Supreme Court in John Upson v. State; has submitted a response to a pro se filing at the request of the Supreme Court in Charles W. McCormick; has filed a Petition for Writ of Certiorari and Appendix in the Supreme Court in Erick E. Wells v. State; has filed the Brief of Respondent in the Court of Appeals in Raphael Lamarr Pontoo v. State; and has filed the Final Brief of Respondent in the Court of Appeals in State v. James B. Curry. Along with that, the undersigned counsel has attended to other responsibilities—including supervisory and administrative ones—in the office and has prepared for and presented at an event at the University of South Carolina School of Law for current law students.

### III.

The undersigned counsel submits this extension request is supported by good cause and is not intended for purposes of delay. The Brief in the above-referenced case involves an important evidentiary issue. The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Brief due to a heavy workload, other significant challenges that have resulted from substantial staffing issues that continue to be experienced by the undersigned counsel's office, and other unexpected issues that arose requiring the undersigned counsel's attention. Accordingly, in order to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.

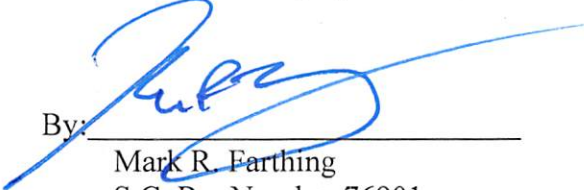
**WHEREFORE**, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for thirty days

from the date such relief is granted; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

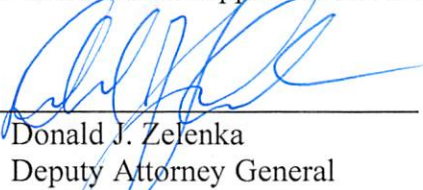
Respectfully submitted,

ALAN WILSON  
Attorney General

MARK R. FARTHING  
Senior Assistant Deputy Attorney General

By:   
\_\_\_\_\_  
Mark R. Farthing  
S.C. Bar Number 76901

I have reviewed and approved this extension request.

By:   
\_\_\_\_\_  
Donald J. Zelenka  
Deputy Attorney General

April 24, 2024

**RECEIVED**

**Apr 24 2024**

**SC Court of Appeals**

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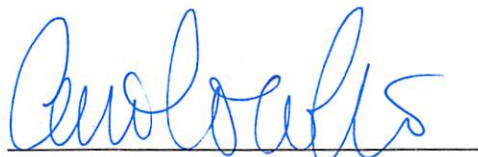
**PROOF OF SERVICE**

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I, Caroline Collins, certify I have served the within Motion for the Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the addresses listed in AIS for the following individuals:

Sarah Elizabeth Shipe, Esquire  
S.C. Commission on Indigent Defense  
1330 Lady Street, Suite 401  
Columbia, South Carolina 29201

I further certify all parties required by Rule to be served have been served.  
This 24<sup>th</sup> day of April, 2024.



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CAROLINE COLLINS  
Administrative Coordinator  
Office of the Attorney General