

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Apr 26 2024

SC Court of Appeals

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

THE STATE,

RESPONDENT,

v.

QUINTERRIS JAVON CARMICHAEL,

APPELLANT.

Appellate Case No. 2023-000162

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

The undersigned counsel would respectfully request a THIRD 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 April 30, 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 today, Friday, April 26, 2024. The undersigned attorney has had a number of state, and federal matters to attend to since March 25, 2024. Specifically:

1. Counsel filed a Motion for Conformance of Dates re: Order ruling on Report and Recommendation [ECF #44] in the matter of George S. Branham, II vs. Bryan Stirling and Shane Jackson, Warden, C/A No. 0:23-cv-745-SAL-PJG on March 25, 2024;

2. Counsel filed 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 on March 29, 2024;

3. Counsel appeared on behalf of the State for oral argument in the matter of The State vs. Royal D. Williams, III, Appellate Case No. 2020-000049 on April 2, 2024 in the South Carolina Court of Appeals;

4. Counsel filed 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 the South Carolina Court of Appeals on April 5, 2024;

6. Counsel filed the Respondent's Reply to Petitioner's Objections to the Report and Recommendation [ECF #49] in the matter of Chad Stalnaker vs. Warden Martell of MacDougall, C/A No. 5:23-01335-BHH on April 10, 2024;

7. Counsel prepared the Amended Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of George S. Branham, II vs. Bryan Stirling, et al., C/A No. 0:23-745-SAL-PJG, as per TEXT Order [ECF #44] on April 12, 2024;

8. Counsel filed the Respondent's Response in Opposition to Petition for Bail Order [ECF #34] in the matter of Comest Sabatino Allen vs. William Langdon, Warden of Allendale Correctional Institution, C/A No. 9:23-00990-TMC-MHC on April 16, 2024;

9. Counsel filed the Respondent's Reply to Objections to the Report and Recommendation [ECF #58] in the matter of James C. Whaley vs. Nick Gallam, 4:23-cv-2473-JDA-TER yesterday, April 25, 2024;

10. Counsel is also filed the Reply to Response in Opposition to Motion for Summary Judgment [ECF #46] in the matter of Darrell L. Goss vs. Shane D. Jackson, 2:23-cv-722-BHH-MGB on April 25, 2024;

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

WHEREFORE, for the following circumstances, counsel respectfully requests a THIRD 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 May 28, 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

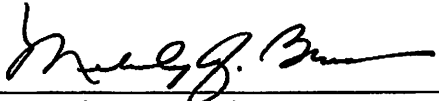
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By: s/W. Joseph Maye
W. JOSEPH MAYE
ATTORNEYS FOR RESPONDENT

April 26, 2024.

I hereby support the finding of good cause.

By: 

MELODY J. BROWN
Senior Assistant Deputy Attorney General

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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 Third Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Joanna K. Delany, Esq., via email today, April 26, 2024 to jdelany@sccid.sc.gov and to her assistant at kwarren@sccid.sc.gov.

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

This 26th day of April, 2024.

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