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May 09 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
The Honorable Debra R. McCaslin, Circuit Court Judge

THE STATE,

Respondent,

v.

JEREMY SAVOY CORNISH,

Appellant.

Appellate Case No. 2022-001536

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

The undersigned counsel would respectfully request a thirty (30) day extension up to and including June 12, 2024, in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Opposing counsel has graciously consented to all requests through May 31, 2024. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter is due Monday, May 13, 2024, as per this Court's Order granting Respondent's fourth extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend.

Specifically,

1. Counsel prepared and filed the Respondent's *Return and Motion to Dismiss* and the *Proposed Conditional Order of Dismissal* on April 10, 2024, in the matter of Loras Leroy Rowan, #222144 v. State of South Carolina, C/A No. 2018-CP-23-4978, a matter pending in the Circuit Court;
2. Counsel prepared and filed the Respondent's *Return and Motion to Dismiss* and the *Proposed Conditional Order of Dismissal* on April 10, 2024, in the matter of James Lynch, III, #244917 v. State of South Carolina, C/A No. 2018-CP-23-5660, a matter pending in the Circuit Court;
3. Counsel completed and filed the *Final Brief* and *Certificate of Compliance* on April 11, 2024, in the matter of The State v. Quinton Maurice Collins, Appellate Case No. 2022-000671, a murder appeal from Pickens County, pending in this South Carolina Court of Appeals;
4. Counsel prepared and filed the Respondent's *Return and Motion to Dismiss* and the *Proposed Conditional Order of Dismissal* on April 12, 2024, in the matter of Troy Lee Kilgore, #293925 v. State of South Carolina, C/A No. 2018-CP-23-4977, a matter pending in the Circuit Court;
5. Counsel prepared and filed the *Return and Memorandum of Law in Support of Motion for Summary Judgment* on April 12, 2024, in the matter of Miguel Urena v. Shane Jackson, Warden Lee Correctional Institution, C/A No. 5:23-cv-5202-JK-KDW, a matter pending in the District Court;
6. Pursuant to the Text Order of the Honorable Mary Geiger Lewis, Counsel filed the *Supplemental Reply to Petitioner's Objections to Report and Recommendation* on April 25, 2024, in the matter of Christopher L. Hampton, #314697 v. Kenneth Nelson, Warden, C/A No. 1:21-cv-1377-MGL-SVH a matter pending in the District Court;

7. Counsel attended an *Intellectual Disability Evaluation* on April 25, 2024, and continues preparation for a June Hearing (now re-scheduled to July) on the issue of intellectual disability in the matter of Gary Dubose Terry v. State of South Carolina, Case No. 2022-CP-32-00924.
8. Counsel prepared and filed the *Reply to Response to Motion for Summary Judgment*, on May 2, 2024, in the matter of Miguel Urena v. Shane Jackson, Warden Lee Correctional Institution, C/A No. 5:23-cv-05202-JD-KDW, a matter pending in the District Court;
9. Counsel is continuing to work on and prepare for an *Evidentiary Hearing* for the week of June 10, 2024, regarding Intellectual Disability in the matter of Bobby Wayne Stone v. Bryan P. Stirling, Commissioner South Carolina Department of Corrections, and Lydell Chestnut, Deputy Warden, Broad River Correctional Institution. Specifically, Counsel is preparing for and conducting a Deposition of Dr. Michael Vitacco in the above matter on June 10, 2024 @ 11:00 am, a matter pending in the Circuit Court;
10. Counsel is preparing for and will litigate in Post Conviction Relief hearings on Tuesday, May 14, 2024, in Greenville, South Carolina for the following cases: (a) Sheldon A. Brown v. The State, Case 2022-CP-23-2311; (b) Daniel Perry v. The State, Case 2021-CP-23-3701; (c) Christopher Kennan v. The State, Case 2022-CP-23-568; (d) Adam Byrum v. The State, Case 2021-CP-23-4035; (e) Melvin Wingate v. The State, Case 2022-CP-23-1277; (f) Miranda Graham v. The State, Case 2022-CP-39-1061, matters pending in the Circuit Court;
11. Counsel is preparing for and will litigate in Post Conviction Relief hearings on Wednesday, May 15, 2024, in Greenville, South Carolina for the following case: Keldrekus Oglesby v. The State, case 2020-CP-23-542.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief and Designation of Matter. This request is made in good faith, and not for the purposes of delay.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

TOMMY EVANS, JR.
Assistant Attorney General
No. 7448

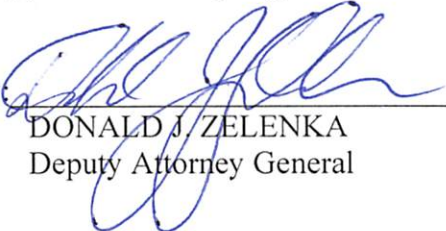
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

By: s/Tommy Evans, Jr.
Tommy Evans, Jr.

May 9, 2024.

(signature page continued next page)

I support the finding of good cause.

By: 
DONALD J. ZELENSKA
Deputy Attorney General

I too support the finding of good cause.

By: 
W. JEFFREY YOUNG
Chief Deputy Attorney General

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Appellate Case No. 2022-001536

PROOF OF SERVICE

I, Tommy Evans, Jr., hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Respondent's fifth Motion for Extension and Proof of Service have been forwarded to Appellant's counsel, Breen Richard Stevens, Esquire, via email today, May 9, 2024 to BStevens@sccid.sc.gov, and to his assistant, Scott Leverett, to SLeverett@sccid.sc.gov.

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

This is the 9th day of May 2024.

s/Tommy Evans, Jr.
Tommy Evans, Jr.
Assistant Attorney General

Brandy Rankin

From: Brandy Rankin
Sent: Thursday, May 9, 2024 8:49 AM
To: Stevens, Breen
Cc: Leverett, Scott; Tommy Evans, Jr.
Subject: Fifth Extension to file Initial Brief and Designation of Matter - Jeremy Savoy Cornish - Appellate Case No. 2022-001536
Attachments: Fifth Motion for Extension to File Initial Brief Designation of Matter, 5-9-24, Jeremy Cornish (03575593xD2C78).pdf
Follow Up Flag: Worldox

Dear Mr. Stevens,

Please find attached the Respondent's Fifth Motion for Extension to file the Initial Brief and Designation of matter and the Proof of Service in the above captioned case. These documents will be filed today, Thursday, May 9, 2024, with the South Carolina Court of Appeals. Thank you.

Sincerely,
Brandy Rankin

Brandy Rankin, Legal Assistant to Tommy Evans, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
803-734-6305



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