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May 14 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

THE STATE,

Respondent,

v.

TYCHRISTIAN LADSON,

Appellant.

Appellate Case No. 2023-000372

**MOTION FOR THIRD 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 17, 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 Friday, May 17, 2024, as per this Court's Order dated April 18, 2024, granting Respondent's second extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since April 18, 2024. Specifically,

1. 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;
2. 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.
3. 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;
4. Counsel is continuing to work on and prepare for an *Evidentiary Hearing* initially scheduled for the week of June 10, 2024, now scheduled for July 29, 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 conducted a Deposition of Dr. Michael Vitacco in the above matter on May 10, 2024 @ 11:00 am, a matter pending in the Circuit Court;
5. 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;

6. 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

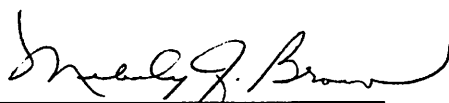
TOMMY EVANS, JR.
Assistant Attorney General
No. 7448

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

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

May 14, 2024.

I support the finding of good cause

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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PROOF OF SERVICE

I, Tommy Evans, Jr., hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Respondent's third Motion for Extension and Proof of Service have been forwarded to Appellant's counsel, Sarah Shipe, Esquire, via email today, May 14, 2024 to SShipe@sccid.sc.gov, and to her assistant, Sarah McInnis, to SMcInnis@sccid.sc.gov.

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

This 14th day of May 2024.

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

Brandy Rankin

From: Brandy Rankin
Sent: Tuesday, May 14, 2024 9:30 AM
To: Shipe, Sarah
Cc: smcinnis@sccid.sc.gov; Tommy Evans, Jr.
Subject: TyChristian Ladson - Third Extension Request to file Initial Brief and Designation of Matter - Appellate Case No. 2023-000372
Attachments: Ladson.TyChristian - Signed Third Extension Request to file Initial Brief Designation of Matter, 5-14-24 (03578183xD2C78).pdf
Follow Up Flag: Worldox

Dear Ms. Shipe,

Please find attached the Respondent's third Motion for Extension to file the Initial Brief & Designation of Matter and the Certificate of Service. These documents will be filed with the South Carolina Court of Appeals today, May 14, 2024 along with a copy of this email. 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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