

RECEIVED

May 28 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

Appeal from Florence County  
The Honorable Steven H. DeBerry, Circuit Court Judge

---

THE STATE,

Respondent,

v.

ANTONIO DENON BRAYBOY,

Petitioner.

Appellate Case No. 2023-001182

---

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

---

Respondent, the State, moves this Court for an additional thirty (30) day extension of time up to and including July 1, 2024, in which to file the Initial Brief of Respondent and Designation of Matter. The Initial Brief and Designation of Matter is currently due to be filed May 31, 2024. Counsel for the Petitioner has graciously consented to this extension request via email. This is Respondent's third request for an extension of time in which to file the Brief. In support of the request, undersigned counsel for Respondent would respectfully show unto the Court the following:

1. Pursuant to the Order of the Honorable Mary Geiger Lewis, Respondent filed the *May 2024 Status Report* on May 1, 2024, in the matter of Carnie Norris, #227226 v. Charles Williams, Warden, C/A 8:21-cv-03353-MGL-BM, a case pending in the District Court;

2. Counsel filed the *Federal Habeas Return* in the matter of Marquives Boatwright v. Warden Donnie Stonebreaker; State of South Carolina, C/A No. 0:23-cv-5069-TMC-PJG, on May 8, 2024, a matter pending in the District Court;

3. Counsel prepared and filed the *Reply to Objections to Report and Recommendation* in the matter of Rasheed Tamir Glover v. Shane Jackson, Warden, C/A No. 9:23-cv-03391-SAL-MHC, on May 8, 2024, a matter pending in the District Court;

4. Pursuant to the Honorable Mary Geiger Lewis's Text Order [ECF 89], Respondent prepared and filed on May 8, 2024, the *Response to Petitioner's Motion for Reconsideration [ECF 69]*, in the matter of Carnie Norris v. Charles Williams, Warden, 8:21-cv-03353-MGL, a matter pending in the District Court;

5. Counsel prepared for and appeared at Court ready to present *Oral Argument* on, May 9, 2024 before the South Carolina Court of Appeals @ 10:40 am, in the matter of The State v. Devin Z. E. Ruttle, Appellate Case No. 2019-001570, however, due to a traffic accident, the case was continued and Oral Argument was rescheduled for June 5, 2024 @ 2:00pm, this is a matter pending in this Court;

6. Counsel completed and filed the *Initial Brief of Respondent and Designation of Matter* on May 17, 2024, with the South Carolina Court of Appeals in the matter of The State v. Channon T. Preston, Appellate Case No. 2022-001474.

Due to counsel's involvement in these and other matters in state and federal court, counsel is unable to complete the Initial Brief of Respondent and Designation of Matter in this action by the due date prescribed. This request is made in good faith, and not for the purposes of delay. Thus, counsel respectfully requests a thirty (30) day extension of time to allow counsel to

complete the Initial Brief of Respondent. This is counsel's third request for additional time to do so.

WHEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the Initial Brief of Respondent in this matter.

Respectfully submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General

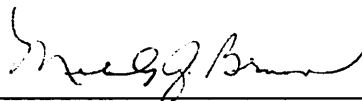
JULIANNA E. BATTENFIELD  
Assistant Attorney General  
State Bar No. 103135

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

By: s/ Julianna E. Battenfield  
JULIANNA E. BATTENFIELD  
ATTORNEYS FOR RESPONDENT

May 28, 2024.

I support the finding of good cause.

By:   
\_\_\_\_\_  
Melody J. Brown,  
Senior Assistant Deputy Attorney General

**RECEIVED**

**May 28 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

Appeal from Florence County  
The Honorable Steven H. DeBerry, Circuit Court Judge

---

THE STATE,

Respondent,

v.

ANTONIO DENON BRAYBOY,

Petitioner.

Appellate Case No. 2023-001182

---

**PROOF OF SERVICE**

---

I, Julianna E. Battenfield, attorney for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Petition for Third Extension of Time to File Initial Brief of Respondent and Designation of Matter, and Proof of Service have been forwarded to Petitioner's counsel, Ralph J. Wilson, Esq. and Lauren K. Anderson, Esq., via email today, May 28, 2024 to [attorney@ralphwilsonlaw.com](mailto:attorney@ralphwilsonlaw.com), and to [laurenanderson@ralphwilsonlaw.com](mailto:laurenanderson@ralphwilsonlaw.com).

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

This 28<sup>th</sup> day of May, 2024.

*s/Julianna E. Battenfield*  
Julianna E. Battenfield  
Assistant Attorney General

## Brandy Rankin

---

**From:** Brandy Rankin  
**Sent:** Tuesday, May 28, 2024 9:09 AM  
**To:** Wilson Law Group; Lauren Anderson  
**Cc:** Julianna Battenfield  
**Subject:** Antonio Brayboy - Third Extension Request to file Initial Brief & Designation of Matter  
**Attachments:** Brayboy.Antonio - Signed Third Extension Motion to file Initial Brief Designation of Matter, 5-28-24 (03588617xD2C78).pdf

Dear Mr. Wilson & Ms. Anderson,

Please find attached the Respondent's Third Motion for Extension in which to file the Initial Brief and Designation of Matter in the above captioned case. This Motion will be filed with the South Carolina Court of Appeals today, Tuesday, May 28, 2024, along with a copy of this email.

Thank you,  
*Brandy Rankin*

Brandy Rankin, Legal Assistant to Julianna E. Battenfield  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211  
803-734-6305



This email, together with any attachments, may be legally privileged. If you have received it in error, please notify the sender immediately, and then delete it from your system. This email and any replies to this email may be subject to disclosure under the Freedom of Information Act.