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May 31 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

On Writ of Certiorari to Williamsburg County
Honorable George M. McFaddin, Jr., Circuit Court Judge
Appellate Case No. 2020-001426

LEVERN MCCREA,

Petitioner,

vs.

STATE OF SOUTH CAROLINA,

Respondent.

**MOTION FOR FOURTH EXTENSION OF TIME WITHIN WHICH
TO SERVE AND FILE BRIEF OF RESPONDENT**

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

I.

The Brief of Respondent is due to be served and filed on May 31, 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 **fourth** extension in the above-referenced post-conviction relief appeal and asks for an additional thirty days to complete the brief in this case. Since the last extension was requested in this matter, I represented the State in two cases before the circuit court at the post-conviction relief term of court in Greenville County, appeared at oral argument before the Supreme Court in State v. Olandio R. Workman (2022-001263), and filed the Final

Brief of Appellant and Amended Record on Appeal in State v. Juan Manuel Ramirez Sandoval (2023-000590).

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. 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 and other significant challenges that have resulted from substantial staffing issues that continue to be experienced by the undersigned counsel's office. 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 Brief of Respondent 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

JOSHUA A. EDWARDS
Assistant Attorney General

I have reviewed and approved this extension request.

By: 

Mark R. Farthing
Senior Assistant Deputy Attorney General

By: 

Joshua A. Edwards
S.C. Bar Number 101188



Donald J. Zelenka
Deputy Attorney General

May 31, 2024

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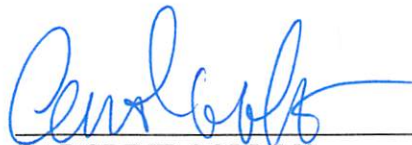
Respondent.

PROOF OF SERVICE

I, Caroline Collins, certify I have served the within Motion for the Fourth Extension of Time Within Which to Serve and File Brief of Respondent on Petitioner by sending an electronic copy via email to the address listed in AIS for the following individual:

Wanda H. Carter, Esquire
S.C. Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, South Carolina 29211

I further certify all parties required by Rule to be served have been served.
This 31st day of May, 2024.



CAROLINE COLLINS
Administrative Coordinator
Office of the Attorney General