

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Richland County  
Honorable Clifton Newman, Circuit Court Judge  
Appellate Case No. 2022-001603

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THE STATE,

Respondent,

vs.

TIMOTHY MATTHEW VOEGELI,

Appellant.

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

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

**I.**

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on June 7, 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 **third** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. Earlier this week, the undersigned participated in oral argument before the Court of Appeals in State v. Ricky Benard Brown and

Marcus Wright v. State. Furthermore, in the past few weeks, the undersigned counsel prepared for and assisted with a criminal contempt trial conducted in the South Carolina Supreme Court; filed a Brief of Petitioner in the Supreme Court in In the Matter of Lauren Martel, Esq.; filed a Return to Petition for Writ of Certiorari in the Supreme Court in Anthony Briggs v. State; filed a Brief of Respondent in the Supreme Court in State v. Terrell Denard Knightner; filed a Return to a “Complaint for Declaratory Relief in the Original Jurisdiction of the Supreme Court” in the Supreme Court in Brian McGill v. State; and participated in oral argument before the Supreme Court in State v. Jason Edwin Stoots. Along with that, the undersigned counsel has attended to other responsibilities—including supervisory and administrative ones—in the office.

### III.

The undersigned counsel submits this extension request is supported by good cause and is not intended for purposes of delay. The Brief in the above-referenced case involves two important issues on appeal. 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, other significant challenges that have resulted from substantial staffing issues that continue to be experienced by the undersigned counsel’s office, and some unanticipated matters that have required the undersigned counsel’s attention. 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 Initial Brief of Respondent and Designation of Matter 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

MARK R. FARTHING  
Senior Assistant Deputy Attorney General

By: 

Mark R. Farthing  
S.C. Bar Number 76901

I have reviewed and approved this extension request.

By: 

Donald J. Zelenka  
Deputy Attorney General

June 7, 2024

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SC Court of Appeals

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**PROOF OF SERVICE**

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I, Caroline Collins, certify I have served the within Motion for the Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to the addresses listed in AIS for the following individuals:

Aimee Jendrzewski Zmroczek, Esquire  
A.J.Z. Law Firm, LLC.  
Post Office Box 11961  
Columbia, South Carolina 29211

I further certify all parties required by Rule to be served have been served.  
This 7<sup>th</sup> day of June, 2024.



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CAROLINE COLLINS  
Administrative Support Manager  
Office of the Attorney General