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Jun 27 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Appeal from Beaufort County  
The Honorable Brooks P. Goldsmith, Circuit Court Judge

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THE STATE,

Respondent,

v.

DEVANTE LAMONT WHITE,

Petitioner.

Appellate Case No. 2022-001793

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

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Respondent, the State, moves this Court for an additional thirty (30) day extension of time up to and including July 31, 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 on July 1, 2024. Opposing Counsel has graciously consented to all extension requests through June 30, 2024. This is Respondent's fifth 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 extraordinary circumstances:

Please be advised that this matter is being reassigned to R. Brandon Larrabee, Esq., as Julianna Battenfield, Esq. will no longer be with this office starting July 1, 2024. Cognizant of the number of extension requests Respondent has received, the brief in this matter will be made a priority in his schedule. Notably, Mr. Larrabee just joined the office within the last two weeks.

As such, he will be able to devote substantial time to this matter.

Thus, counsel respectfully requests a thirty (30) day extension of time to allow counsel to complete the Initial Brief of Respondent. This is Respondent's fifth 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

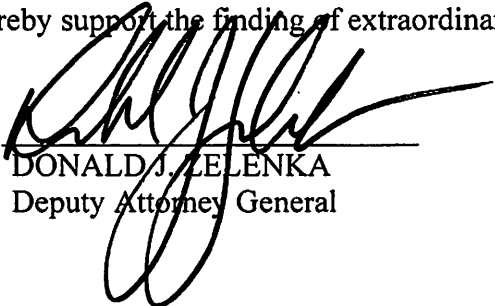
R. BRANDON LARRABEE  
Assistant Attorney General  
State Bar No. 104865

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

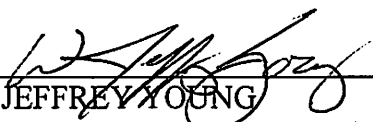
June 27, 2024.

By: s/ R. Brandon Larrabee  
R. BRANDON LARRABEE  
ATTORNEYS FOR RESPONDENT

I hereby support the finding of extraordinary circumstances.

By:   
DONALD J. ZELENKA  
Deputy Attorney General

I too support the finding of extraordinary circumstances.

By:   
W. JEFFREY YOUNG  
Chief Deputy Attorney General

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**PROOF OF SERVICE**

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I, **Brandon Larrabee**, attorney for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Petition for Fifth Extension of Time to File Initial Brief of Respondent and Designation of Matter, have been forwarded to Petitioner's counsel, Breen Stevens, Esq. and to his assistant, Scott Leverett via email today, June 27, 2024 to [BStevens@sccid.sc.gov](mailto:BStevens@sccid.sc.gov) and to [SLeverett@sccid.sc.gov](mailto:SLeverett@sccid.sc.gov) .

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

This 27<sup>th</sup> day of June, 2024.

s/R. Brandon Larrabee  
R/ BRANDON LARRABEE  
Assistant Attorney General

## Donna D'Alessio

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**From:** Donna D'Alessio  
**Sent:** Thursday, June 27, 2024 1:57 PM  
**To:** bstevens@sccid.sc.gov; Leverett, Scott  
**Subject:** White, Devante L. - Appellate Case No. 2022-001793 - Motion for Fifth Extension of Time to file Initial Brief of Respondent  
**Attachments:** White, Devante L. - Appellate Case No. 2022-001793 - Motion for Fifth Extension of Time to file IBOR 6-27-24 for 7-1-24 (03618565xD2C78).pdf

Gentlemen:

Attached is the Motion for Fifth Extension of Time to File Initial Brief of Respondent regarding the above matter. Same is being filed with the South Carolina Court of Appeals today, June 27, 2024.

Thank you.

Donna D'Alessio,  
Legal Assistant  
Office of the Attorney General  
State of South Carolina  
Post Office Box 11549  
Columbia, South Carolina 29211-1549  
(803) 734-6305