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Jul 03 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
The Honorable Clifton Newman, Circuit Court Judge
Appellate Case No. 2023-000597

THE STATE,

Respondent,

vs.

MARTIN DIXON,

Appellant.

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

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

1. The Initial Brief of Respondent and Designation of Matter are due to be served and filed on July 3, 2024, pursuant to three previous extensions granted by the Court.

2. 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 criminal appeal and asks for an additional thirty days to complete the brief in this case.

3. Counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. Counsel is 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 a family medical emergency. 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.

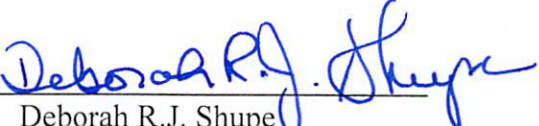
4. Please be advised that the State and Appellate Defense continue to consent to any requests for extensions or out-of-time filings. This limited consent applies to requests up to and including July 31, 2024.

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.

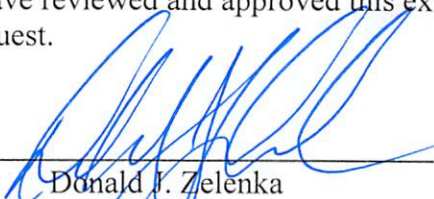
Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

By: 
Deborah R.J. Shupe
S.C. Bar Number 5098

I have reviewed and approved this extension request.

By: 
Donald J. Zelenka
Deputy Attorney General

July 3, 2024

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PROOF OF SERVICE

I, Grace Sommer, certify I have served the within Motion for Fourth 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 address listed in AIS for the following individual:

Gary H. Johnson, II, Esquire
S.C. Commission on Indigent Defense
PO Box 11589
Columbia, SC 29211-1589

I further certify all parties required by Rule to be served have been served.
This 3rd day of July, 2024.


GRACE SOMMER
Legal Assistant
Office of the Attorney General