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Jul 15 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Pickens County
The Honorable Perry H. Gravely, Circuit Court Judge

THE STATE,

Respondent,

v.

TYCHRISTIAN LADSON,

Appellant.

Appellate Case No. 2023-000372

**MOTION FOR FIFTH 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 August 16, 2024, in which to file the Initial Brief of Respondent and Designation of Matter, which is currently due to be filed July 17, 2024. Counsel for Petitioner has graciously consented to extension requests through July 31, 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:

1. Counsel is continuing to work on and prepare for an *Evidentiary Hearing* scheduled for the week of July 29, 2024, regarding Intellectual Disability in the matter of Bobby Wayne Stone v. Bryan P. Stirling, Commissioner South Carolina Department of Corrections, and Lydell Chestnut, Deputy Warden, Broad River Correctional Institution, a matter pending in the Circuit

Court;

2. Counsel filed the *Initial Brief and Designation of Matter*, on June 20, 2024 in the matter of The State v. Eric Graham, Appellate Case No. 2023-000160, a matter pending in this

Court;

3. Counsel filed the *Reply to Response in Opposition to Motion for Summary Judgment* in the Federal Habeas case K. C. Langford v. Donnie Stonebreaker, Jr, Warden, Evans Correctional Institution on June 26, 2024, a matter pending in the District Court;

4. Counsel filed the *Initial Brief and Designation of Matter*, on July 3, 2024, in the matter of The State v. Reno Rodreigus Blakely, Appellate Case No. 2023-000218, a matter pending in this Court;

5. Counsel filed the *Return and Memorandum of Law in Support of Summary Judgment and Motion for Summary Judgment* in the matter of Derrick Fishburne v. Lavern Cohen on July 8, 2024, C/A No. 0:24-cv-01210-JD-PJG, a matter pending in the District Court;

6. Counsel conducted on July 11, 2024, a *Deposition* on Dr. Stephen Greenspan in the capital matter of Gary Dubose Terry v. State of South Carolina C/A No. 2022-CP-32-00924, a matter pending in the Circuit Court;

7. Counsel prepared and filed with the Sumter County Clerk of Court the Respondent's *Motion for Date Certain Determination for Finalizing Discovery & Proof of Service* on July 12, 2024 in the matter of Bobby Wayne Stone v. State of South Carolina;

8. Counsel prepared and filed with the Sumter County Clerk of Court the Respondent's *Response to Applicant's Motion to Compel Discovery & Proof of Service* on July 12, 2024 in the matter of Bobby Wayne Stone v. State of South Carolina.

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 & Designation of Matter.

WHEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the Initial Brief of Respondent & Designation of Matter.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

TOMMY EVANS, JR.
Assistant Attorney General
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By: s/Tommy Evans, Jr.
Tommy Evans, Jr.


ATTORNEYS FOR RESPONDENT

[signature page continued next page]

July 15, 2024.

I support the finding of good cause.

By: _____


W. JEFFREY YOUNG
Chief Deputy Attorney General

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PROOF OF SERVICE

I, Tommy Evans, Jr., Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Fifth Extension of Time to File Initial Brief of Respondent and Designation of Matter, has been forwarded to Petitioner's counsel, Sarah Shipe, Esq., via email today, July 15, 2024 to SShipe@sccid.sc.gov, and to her assistant, Sarah McInnis at SMcinnis@sccid.sc.gov.

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

This 15th day of July, 2024.

s/Tommy Evans, Jr.
Tommy Evans, Jr.
Assistant Attorney General

Brandy Rankin

From: Brandy Rankin
Sent: Monday, July 15, 2024 12:56 PM
To: Shipe, Sarah
Cc: smcinnis@sccid.sc.gov; Tommy Evans, Jr.
Subject: 5th Extension TyChristian Ladson - Appellate Case No. 2023-000372
Attachments: Ladson.Tychristian - Motion for Fifth Extension to file Initial Brief and Designation of Matter, 7-15-24 (03634725xD2C78).pdf

Follow Up Flag: Worldox

Dear Ms. Shipe,

Please find attached the Respondent's 5th Motion for Extension to file the Initial Brief and Designation of Matter and Proof of Service in the above captioned case. These documents will be filed with the South Carolina Court of Appeals today, Monday, July 15, 2024 along with a copy of this email.

Sincerely,
Brandy Rankin

Brandy Rankin, Legal Assistant
Office of the Attorney General
Post Office Box 11549
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803-734-6305



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