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Aug 05 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Greenville County
The Honorable Alex Kinlaw, Jr., Circuit Court Judge

THE STATE,

Respondent,

v.

BRAYLON LAMAR MORRIS,

Appellant.

Appellate Case No. 2023-000608

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

The undersigned counsel would respectfully request a thirty (30) day extension up to and including September 6, 2024 in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Opposing counsel has graciously consented to all requests through August 31, 2024. In support of this motion, counsel would respectfully show the Court the following:

Respondent's Initial Brief and Designation of Matter is due, Thursday, August 8, 2024 as per this Court's Order dated July 22, 2024 granting Respondent's second extension request. The undersigned attorney for the Respondent has had a number of state and federal matters to attend since July 2024. Specifically,

1. Counsel worked on and prepared for and participated in an *Evidentiary Hearing* held 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, a matter pending in the Circuit Court;
2. 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 the South Carolina Court of Appeals;
3. 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-PJD, a matter pending in this Court;
4. Counsel conducted a *Deposition* on July 11, 2024, of Dr. Stephen Greenspan in the capital matter of Gary Dubose Terry v. State of South Carolina, C/A No. 2022-CP-32-0924, a matter pending in the Circuit Court;
5. 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, pending in the Circuit Court;
6. 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, pending in the Circuit Court;

7. Counsel prepared and filed the *Final Brief* and *Certificate of Compliance* on July 26, 2024, in the matter of The State v. Jeremy Savoy Cornish, Appellate Case No. 2022-001536, a matter pending in the South Carolina Court of Appeals;

8. Counsel prepared and filed the *Final Brief* and *Certificate of Compliance* on August 2, 2024, in the matter of The State v. Eric Anton Graham, Appellate Case No. 2023-000160, a matter pending in the South Carolina Court of Appeals.

WHEREFORE, counsel respectfully requests a thirty (30) day extension of time to serve and file the Initial Brief and Designation of Matter. This request is made in good faith, and not for the purposes of delay.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

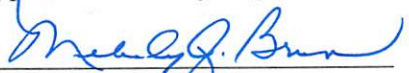
TOMMY EVANS, JR.
Assistant Attorney General
No. 7448

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

By: s/Tommy Evans, Jr.
Tommy Evans, Jr.

August 5, 2024.

I support the finding of good cause

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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PROOF OF SERVICE

I, Tommy Evans, Jr., hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Respondent's third Motion for Extension and Proof of Service have been forwarded to Appellant's counsel, Joanna K. Delany, via email today, August 5, 2024 to JDelany@sccid.sc.gov, and to her assistant, Kaylynn Warren, to KWarren@sccid.sc.gov.

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

This is the 5th day of August 2024.

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

Brandy Rankin

From: Brandy Rankin
Sent: Monday, August 5, 2024 10:49 AM
To: Delany, Joanna
Cc: Warren, Kaylynn; Tommy Evans, Jr.
Subject: The State v. Braylon Lamar Morris - Third Extension Request to file Initial Brief & Designation of Matter - Appellate Case No. 2023-000608
Attachments: Morris.Braylon - Third Extension to file Initial Brief and Designation of Matter, Proof of Service, 8-5-24 (03656265xD2C78).pdf
Follow Up Flag: Worldox

Dear Ms. Delany,

Please find attached for your records the Respondent's Third Extension Request in which to file the Initial Brief & Designation of Matter. Also attached is the Proof of Service. We will file this extension with the South Carolina Court of Appeals, today, Monday, August 5, 2024 along with a copy of this email. Have a great day!

Sincerely,
Brandy Rankin

Brandy Rankin, Legal Assistant to Tommy Evans, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
803-734-6305



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