

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
The Honorable J. Derham Cole, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

MARCUS D. BATSON,

APPELLANT.

Appellate Case No. 2022-001593

**MOTION FOR SECOND 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 September 6, 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, tomorrow, Wednesday, August 7, 2024. Opposing Counsel has graciously consented to all extension requests through August 31, 2024. This is Respondent's second 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 circumstances:

R. Brandon Larrabee, Esq. was assigned this case shortly after joining this office. Mr. Larrabee has been working on the following matters:

1. Counsel is currently preparing the Return and Memorandum in Support of Motion for Summary Judgment in the matter of Joseph W. Dunbar, Jr. vs. Donnie Stonebreaker, 9:23-cv-

5323-RMG-MHC;

2. Counsel is also currently preparing the Initial Brief of Respondent in the matter of The State vs. Devante L. White, Appellate Case No. 2022-001793, a Beaufort County direct appeal matter also pending in this court; and

3. Counsel is currently preparing the Initial Brief of Respondent in 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 second 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

August 6, 2024.

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

RECEIVED

Aug 06 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
The Honorable J. Derham Cole, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

MARCUS D. BATSON,

APPELLANT.

Appellate Case No. 2022-001593

PROOF OF SERVICE

I, **R. Brandon Larrabee**, attorney for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Second Extension of Time to File Initial Brief of Respondent and Designation of Matter, have been forwarded to Petitioner's counsel, Joanna K. Delany, Esq. and to her assistant via email today, August 6, 2024 to jdellany@sccid.sc.gov and to kwarren@sccid.sc.gov.

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

This 6th day of August, 2024.

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