

RECEIVED
Aug 15 2024
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
The Honorable Walton J. McLeod, IV, Circuit Court Judge

THE STATE,

Respondent,

v.

BRADLEY W. WALKER,

Appellant.

Appellate Case No. 2023-000139

**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 September 18, 2024, in which to file the Initial Brief of Respondent and Designation of Matter, which is currently due to be filed August 19, 2024. Counsel for Petitioner has graciously consented to extension requests through August 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 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; Lydell Chestnut, Deputy Warden, Broad River Correctional Institution, a matter pending in the circuit court;

2. Counsel completed 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 murder appeal pending in this Court;

3. Counsel completed 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 murder appeal pending in this Court;

4. Counsel completed and filed on August 6, 2024, the *Reply to Petitioner's Objections to Report and Recommendation* in the matter of Derell Green v. Shane Jackson, Warden, Lee Correctional Institution, C/A No. 9:23-cv-1945-BHH-MHC, a matter pending in the District Court;

5. Counsel completed and m filed the *Final Brief and Certificate of Compliance*, on August 14, 2024, in the matter of The State v. Reno Rodreigus Blakely, Appellate Case No. 2023-000218, a matter pending in this Court;

6. Counsel filed on August 14, 2024, the *Objections to the Magistrate Court Report and Recommendation* in the matter of K. C. Langford v. Donnie Stonebreaker, Jr. Warden Evans Correctional Institution, C/A No. 9:20-cv-01298-DCC-MHC, a matter pending in the District Court;

7. Counsel filed on August 14, 2024 the *Initial Brief of Respondent and Designation of Matter* in the matter of State of South Carolina v. TyChristian Ladson, Appellate Case No. 2023-000372, a matter pending in this Court;

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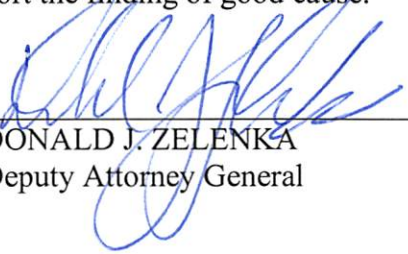
By: s/Tommy Evans, Jr.
Tommy Evans, Jr.

ATTORNEYS FOR RESPONDENT

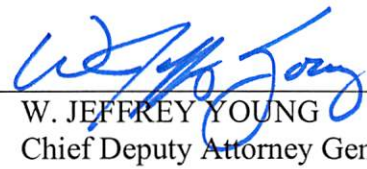
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August 15, 2024

I support the finding of good cause.

By: 
DONALD J. ZELENKA
Deputy Attorney General

I too 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, Robert M. Dudek, Esq., via email today, August 15, 2024 to RDudek@sccid.sc.gov, and to his assistant, Kaylynn Warren at KWarren@sccid.sc.gov.

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

This is the 15th day of August 2024.

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