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Aug 21 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Orangeburg County
The Honorable Maite Murphy, Circuit Court Judge
Appellate Case No. 2023-001798

THE STATE,

Respondent,

vs.

KENNETH HENRY EASTWOOD,

Appellant.

**MOTION FOR THIRD 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 August 21, 2024, pursuant to two 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 **third** 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 good cause 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. Counsel also has supervisory duties over a section in the Attorney General's office that have required substantial attention in the past several months. Accordingly, in order to ensure the Brief is properly researched and prepared, counsel would therefore request an additional extension of time within which to serve and file the Brief.

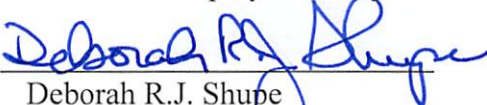
4. The undersigned consulted with Appellant's counsel, and he consented to the requested extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter.

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.

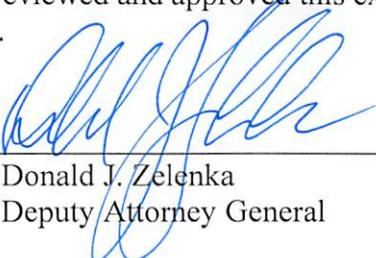
Respectfully submitted,

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

August 21, 2024

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PROOF OF SERVICE

I, Abigail Hawley-Browder, certify I have served the within Motion for Third 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:

Adam S. Ruffin, Esquire
Ruffin Law Firm, LLC
1320 Main Street, Suite 300
Columbia, SC 29201-2941

I further certify all parties required by Rule to be served have been served.
This 21st day of August, 2024.


Abigail Hawley-Browder
Legal Assistant
Office of the Attorney General