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Sep 19 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Laurens County  
The Honorable Donald B. Hocker, Circuit Court Judge

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THE STATE,

RESPONDENT,

v.

ANTONE B. ELLIS TREMAYNE BLAKELY,

APPELLANT.

Appellate Case No. 2023-000721

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

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The undersigned counsel would respectfully request a SEVENTH thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. Counsel for Appellant has graciously consented to extension requests through September 30, 2024. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed tomorrow, Friday, September 20, 2024. The undersigned attorney has had a number of state, and federal matters to attend to since August 20, 2024, specifically:

1. Counsel filed the Initial Brief of Respondent in the Florence County murder appeal matter of The State vs. Tirik J. Johnson-Epps, Appellate Case No. 2023-000179 in this court on August 23, 2024;

2. Counsel also filed the Initial Brief of Respondent in the Florence County murder appeal matter of The State vs. Quinterris Javon Carmichael, Appellate Case No. 2023-000162 in this court on August 28, 2024;

3. Counsel filed the Respondent's Objections to ECF#s 65, 67 & 68, and in the Alternative, Respondent's Motion to Consolidate Existing Objections and Prohibit Further Objections in the matter of Earnest Vaughn v. Warden Turbeville Correctional Institution, C/A No. 6:23-04220-BHH on August 29, 2024;

4. Counsel also filed the Respondent's Response in Opposition to Petitioner's Motion to Amend and Objections to Petitioner's Repeated Motion to Clarify and Retain Jurisdiction [ECF #s 44, 45 & 46] in the matter of Mickey Markell Johnson vs. Warden, Broad River Correctional Institution, C/A No. 0:24-1623-TMC-PJG, also on August 29, 2024;

5. Counsel filed an Amended Reply to Objections to Report and Recommendation [ECF Nos. 53, 56, 67 and 68] in the matter of Earnest Vaughn v. Warden Turbeville Correctional Institution, C/A No. 6:23-04220-BHH on September 9, 2024;

6. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Adrian Jenkins vs. Warden Lavern, C/A No. 0:24-2636-DCN-PJG on September 11, 2024;

7. Counsel is also preparing the Initial Brief of Respondent in the matter of The State vs. Randy D. Grainger, 2023-000598, an Horry County direct appeal matter now pending in this court;

8. Counsel has begun working on the Initial Brief in this matter, and does not anticipate the need for further extensions beyond October 21, 2024; and

9. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for the following circumstances, counsel respectfully requests a SEVENTH thirty (30) day extension of time to serve and file the Initial Brief of Respondent and Designation of Matter. This request is made in good faith, and not for the purposes of delay. This extension will make Respondent's Initial Brief due on October 21, 2024.

Respectfully Submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General  
S.C. Bar No. 14244

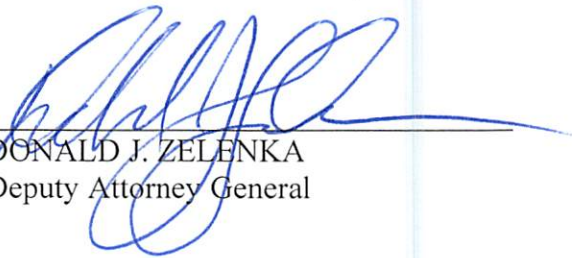
W. JOSEPH MAYE  
Assistant Attorney General  
S.C. Bar No. 100851

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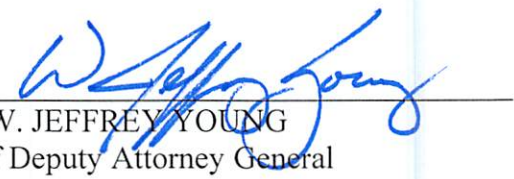
By: s/W. Joseph Maye  
W. JOSEPH MAYE  
ATTORNEYS FOR RESPONDENT

September 19, 2024.

I support the finding of extraordinary circumstances.

By:   
DONALD J. ZELENKA  
Deputy Attorney General

I further support the finding of extraordinary circumstances.

By:   
W. JEFFREY YOUNG  
Chief Deputy Attorney General

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**PROOF OF SERVICE**

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I, **Donna D'Alessio**, an employee of the Respondent and legal assistant to W. Joseph Maye, of counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Seventh Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Wanda H. Carter, Esq., via email today, September 19, 2024 to [WCarter@sccid.sc.gov](mailto:WCarter@sccid.sc.gov) and to her assistant at [sleverett@sccid.sc.gov](mailto:sleverett@sccid.sc.gov).

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

This 19<sup>th</sup> day of September, 2024.

*s/ Donna D'Alessio*  
\_\_\_\_\_  
Donna D'Alessio, Legal Assistant to  
W. Joseph Maye,  
Assistant Attorney General  
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