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Oct 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 FIFTH EXTENSION OF TIME
TO SERVE AND FILE INITIAL BRIEF OF RESPONDENT
AND DESIGNATION OF MATTER**

Respondent, State of South Carolina, hereby moves for a fifth extension of time to file the Initial Brief of Respondent and Designation of Matter to be included in the Record on Appeal. Respondent submits the following:

1. The Initial Brief of Respondent and Designation of Matter are due to be filed and served October 21, 2024, pursuant to a fourth extension. Respondent requests a fifth extension to serve and file these documents, which is not made for the purpose of delay but supported by extraordinary circumstances including a heavy workload, the necessity for counsel to receive and review copies of videotape exhibits that are relevant to the issue on appeal, and counsel's administrative duties associated with her supervisory role in the Office.

2. Counsel has worked on the Initial Brief and Designation of Matter but has been unable to complete the Brief or have the opportunity to review the videotape exhibits prior to the due date. Counsel assures the Court completion of the Brief is a high priority, and she will work diligently to ensure it is completed. Counsel for Appellant has indicated he consents to this extension request.

3. The undersigned certifies that she has communicated with opposing counsel and is authorized to advise the Court that he consents to the requested extension.

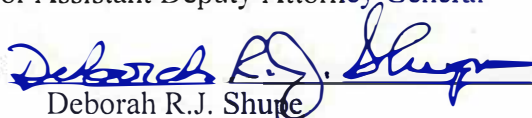
Based on the foregoing, counsel for Respondent respectfully requests that this Court grant a fifth 30-day extension in which to file and serve the Initial Brief of Respondent and Designation of Matter in this case, and that all deadlines be held in abeyance pending resolution of this Motion.

Respectfully submitted,

ALAN WILSON
Attorney General

DEBORAH R.J. SHUPE
Senior Assistant Deputy Attorney General

BY:

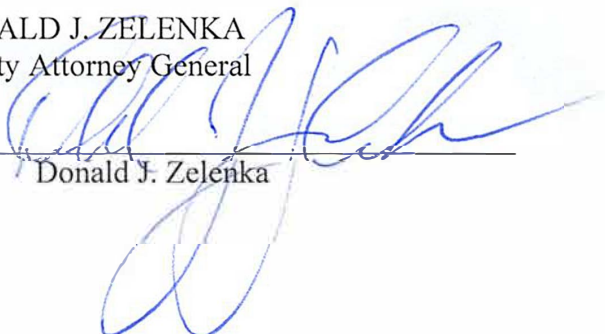

Deborah R.J. Shupe

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3970

I have reviewed and approved this extension request.

DONALD J. ZELENKA
Deputy Attorney General

BY:


Donald J. Zelenka

October 21, 2024

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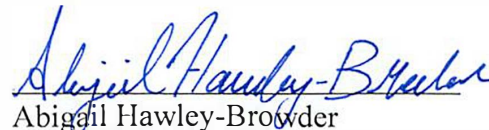
PROOF OF SERVICE

I, Abigail Hawley-Browder, certify that I served the Motion for Fifth Extension of Time to Serve and File the Initial Brief of Respondent and Designation of Matter on Adam Sinclair Ruffin, Esq., counsel of record for the Appellant, by sending it to him by electronic mail to the address listed for counsel in AIS.

Adam Sinclair Ruffin, Esquire
1320 Main Street, Suite 300
Columbia, SC 29201
adam@ruffinappeals.com

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

This 21st day of October, 2024.


Abigail Hawley-Browder
Legal Assistant

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