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Nov 01 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Marlboro County  
The Honorable Michael G. Nettles, Circuit Court Judge  
\_\_\_\_\_

THE STATE,

RESPONDENT,

v.

JEJAUNCEY FERNANDO HARRINGTON,

APPELLANT.

Appellate Case No. 2023-000305

\_\_\_\_\_  
**MOTION TO FILE THE INITIAL BRIEF OF RESPONDENT  
& DESIGNATION OF MATTER OUT OF TIME**  
\_\_\_\_\_

Counsel, J. Anthony Mabry respectfully requests leave in which to file the Initial Brief of Respondent and Designation of Matter in this case out of time.

The Initial Brief was due to be served and filed with this Court on October 21, 2024. However, due to an administrative calendaring error, the Initial Brief & Designation of Matter was calendared incorrectly in the Attorney General's Office to be filed on Monday, November 4, 2024. The error was discovered today, November 1, 2024. Respondent is filing the Initial Brief of Respondent today, November 1, 2024, with this motion. Opposing counsel, Laura Caudy, Esq., has graciously consented to this request.

WHEREFORE, based on the foregoing, Respondent respectfully requests the Court to grant this motion to file the Initial Brief & Designation of Matter out of time and accept the Initial Brief of Respondent with this motion for filing.

Respectfully submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELOD J. BROWN  
Senior Assistant Deputy Attorney General  
I.D. No. 07979

J. ANTHONY MABRY  
Senior Assistant Attorney General  
I.D. No. 11973

By: s/ J. Anthony Mabry  
J. ANTHONY MABRY  
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**ATTORNEYS FOR RESPONDENTS**

November 1, 2024.

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Appellate Case No. 2023-000305

\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

I, **J. Anthony Mabry**, the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion to File the Initial Brief of Respondent and Designation of Matter Out of Time has been forwarded to Appellant's counsel, Lara M. Caudy, Esq., via email today, November 1, 2024 to [lcaudy@sccid.sc.gov](mailto:lcaudy@sccid.sc.gov), and to her assistant at [smcinnis@sccid.sc.gov](mailto:smcinnis@sccid.sc.gov).

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

This 1<sup>st</sup> day of November, 2024.

s/ J. Anthony Mabry  
J. Anthony Mabry  
Senior Assistant Attorney General  
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