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Nov 08 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Jasper County  
The Honorable Robert J. Bonds, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JHARAUN WASHINGTON,

APPELLANT.

Appellate Case No. 2023-000468

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

The undersigned counsel would respectfully request a SIXTH thirty (30) day extension in which to file the Initial Brief of Respondent and Designation of Matter in the above-referenced case. The Initial Brief is currently due to be filed today, Friday, November 8, 2024. Counsel for Appellant has graciously consented to this extension requests through November 30, 2024. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

The undersigned attorney has had a number of state, and federal matters to attend to since October 8, 2024 including matters in this Court that have prevented the timely filing of this brief, specifically:

1. Counsel filed the Brief of Respondent in the matter of State vs. James E. Daniels, Jr., Appellate Case No. 2023-001170, an Horry County murder appeal matter now pending in the South Carolina Supreme Court on **October 15, 2024**;

2. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Breon Mayers v. Shane Jackson, Warden of Lee Correctional Institution, C/A 0:24-cv-1240-DCN-PJG on **October 28, 2024**;

3. Counsel filed the Return to Petition for Writ of Certiorari in the matter of The State vs. Charles Barham, Appellate Case No. 2024-001495, a Richland County murder appeal matter now pending in the South Carolina Supreme Court on **October 30, 2024**;

4. Counsel filed the Respondent's Response to Motion to Stay Execution in the matter of Stephen Stanko vs. Bryan P. Stirling and Lydell Chestnut, 1:24-cv-4109-RMG-SVH, a Georgetown capital Federal Habeas Matter on **October 31, 2024**;

5. Counsel filed the Initial Brief of Respondent in the matter of State vs. JeJauncey F. Harrington, Appellate Case No. 2023-000305, a Marlboro County murder appeal now pending in the South Carolina Court of Appeals on **November 1, 2024**;

6. Counsel filed the Respondent's Response to Motion to Alter or Amend [ECF #72] in the matter of Alonzo C. Jeter v. Warden Wilfredo Martell, C/A No. 9:23-03253-MGL on **November 5, 2024**;

7. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Filberto Campos vs. Warden Shane Jackson, C/A No. 8:24-cv-3510-JD-BM on **November 6, 2024**;

8. Counsel is currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Emonte Brooks vs. Shane Jackson, Warden, 1:24-cv-3511-JDA-SVH. Same is to be filed on **November 14, 2024**;

9. Counsel is currently preparing the Petition for Writ of Certiorari in the matter of State vs. Kierin Marcellus Dennis, a Lexington County murder appeal matter now pending in the South Carolina Supreme Court. Same is due to be filed on **November 29, 2024**; and

10. Counsel is actively working on this brief, and completed or is working on the above matters so he can focus on and complete this brief

WHEREFORE, for extraordinary circumstances shown, counsel respectfully requests a sixth 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 December 9, 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

J. ANTHONY MABRY  
Senior Assistant Attorney General  
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By: s/J. Anthony Mabry

November 8, 2024.

J. ANTHONY MABRY  
ATTORNEYS FOR RESPONDENT

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**

I, **Donna D'Alessio**, an employee of the Respondent and legal assistant to J. Anthony Mabry, of counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Sixth Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Gary Johnson, Esq., via email today, November 8, 2024 to [gjohnson@sccid.sc.gov](mailto:gjohnson@sccid.sc.gov) and to his assistant at [sleverette@sccid.sc.gov](mailto:sleverette@sccid.sc.gov).

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

This 8<sup>th</sup> day of November, 2024.

s/ Donna D'Alessio

Donna D'Alessio, Legal Assistant to  
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Senior Assistant Attorney General  
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