

RECEIVED

Nov 12 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal From Lexington County
The Honorable Debra R. McCaslin, Circuit Court Judge

Appellate Case No: 2023-001259

STATE OF SOUTH CAROLINA,

Respondent,

vs.

ROBERT B. NEELEY,

Appellant.

MOTION FOR A FOURTH EXTENSION OF TIME

Respondent, through its undersigned counsel, would respectfully show unto this Court as follows:

I.

The Initial Brief of Respondent and Designation of Matter are due to the Court today, pursuant to three previous extensions granted by the Court.

II.

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 Respondent moves for a fourth extension in the above referenced appeal. Due to work required in other cases pending before this Court, I am unable to complete this Brief on time. Since the last extension was requested in this matter, I have filed a Return to Motion for Bail Pending Appellate Review in Stephanie Greene v. State (2023-001934), a Petition for a Writ of Certiorari in State v. Wanda Crumpton (2019-001246), a Return to Petition for a Writ of Certiorari in State v. Brittany

Martin (2024-001575); and prepared an Initial Brief of Respondent and Designation of Matter in Benjamin Hays v. State (2024-000929).

III.

The undersigned counsel submits this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. Accordingly, to ensure that the Brief is properly researched and prepared, the undersigned would therefore request an extension of time within which to serve and file the Initial Brief of Respondent and Designation of Matter in the above captioned criminal appeal.

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 (30) days; and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General



J. BENJAMIN APLIN

Assistant Attorney General

Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211
(803) 734-3727

ATTORNEYS FOR RESPONDENT

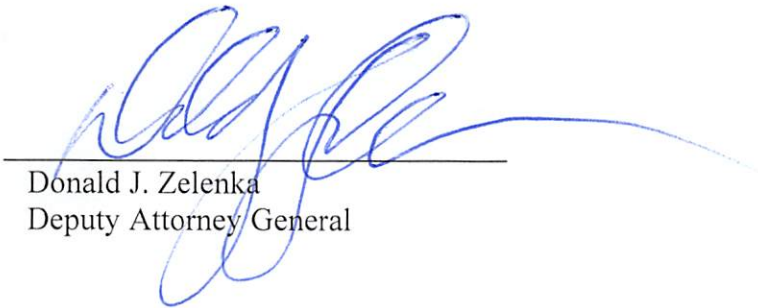
I have reviewed and approved this extension request.

By:



Mark R. Farthing

Senior Assistant Deputy Attorney General

By:  _____
Donald J. Zelenka
Deputy Attorney General

November 12, 2024

RECEIVED

Nov 12 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appeal From Lexington County
The Honorable Debra R. McCaslin, Circuit Court Judge

Appellate Case No: 2023-001259

STATE OF SOUTH CAROLINA,

Respondent,

vs.

ROBERT B. NEELEY,

Appellant.

PROOF OF SERVICE

I, Susan Spencer, certify that I have served the Motion For A Fourth Extension Of Time on Sarah E. Shipe, Esquire, counsel of record for the Appellant, by sending one copy by electronic mail to the address listed for each counsel in AIS.

I further certify that all parties required by Rule to be served have been served this 12th day of November 2024.



Susan Spencer
Legal Assistant

Office of Attorney General
Post Office Box 11549
Columbia, SC 29211
[(803) 734-3737