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Nov 12 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Richland County
The Honorable Daniel McLeod Coble, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

JAMIRA U. DAVIS,

APPELLANT.

Appellate Case No. 2023-001215

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

The undersigned counsel would respectfully request a third 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 November 30, 2024. In support of this motion, counsel would respectfully show the Court the following circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed tomorrow, November 13, 2024. The undersigned attorney has had a number of state, and federal matters to attend to since October 10, 2024. Specifically:

1. Counsel filed the Respondent's Response in Opposition to Motion to Appoint Counsel [ECF #13] in the matter of Richard Allen Woodbury vs. State of South Carolina, C/A 0:24-04530-MGL-PJG on October 9, 2024; as well as filing a Response in Opposition to Motion to Appoint Counsel [ECF #20] on November 4, 2024;
2. Counsel filed the Return and Memorandum of Law in the matter of Theodore Wills vs. Warden Levern Cohen, C/A No. 5:24-708-JFA-KDW, an Horry County federal habeas matter on October 21, 2024;

3. Counsel is also currently working on the Federal Habeas Corpus matter of Millanyo Woody vs. Warden Tucker, 2:19-cv-785-SAL-MGB;
4. Counsel had a term of court for post-conviction relief commencing on Wednesday, October 9, 2024;
5. Counsel is currently preparing the Initial Brief in the matter of The State vs. Marcus D. Batson, Appellate Case No. 2023-001593, a Spartanburg County murder appeal matter now pending in the South Carolina Court of Appeals;
6. Counsel is also currently preparing the Initial Brief of Respondent in the matter of The State vs. Trevor Anthony Irvin, Appellate Case No. 2023-001075, a Lexington County direct appeal matter also pending in the South Carolina Court of Appeals.

WHEREFORE, for the following circumstances, counsel respectfully requests a THIRD 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 December 13, 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

R. BRANDON LARRABEE
Assistant Attorney General
S.C. Bar No. 104865

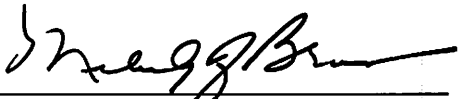
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By: s/R. Brandon Larrabee
R. BRANDON LARRABEE

November 12, 2024.

ATTORNEYS FOR RESPONDENT

I hereby support the finding of good cause.

By: 

MELODY J. BROWN
Senior Assistant Deputy Attorney General

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Appellate Case No. 2023-001215

PROOF OF SERVICE

I, **Donna D'Alessio**, an employee of the Respondent and legal assistant to R. Brandon Larrabee, of counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Third Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Joanna Delaney, Esq., via email today, November 12, 2024 to jdelaney@sccid.sc.gov and to her assistant at smcinnis@sccid.sc.gov.

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

This 12th day of November, 2024.

s/ Donna D'Alessio

Donna D'Alessio, Legal Assistant to
R. Brandon Larrabee,
Assistant Attorney General
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