

RECEIVED

Nov 15 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

THE STATE,

RESPONDENT,

v.

WILLISTON L. OWENS,

APPELLANT.

Appellate Case No. 2023-000593

**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. 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 extraordinary circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed Monday, November 18, 2024. The undersigned attorney has had a number of state, and federal matters to attend to since October 16, 2024. Specifically:

1. Counsel filed the Initial Brief of Respondent in the matter of The State vs. Antone Blakely, Appellate Case No. 2023-000721, a Laurens County murder appeal matter now pending in the South Carolina Court of Appeals on October 21, 2024;

2. Counsel prepared and filed the Return to Petition for Writ of Certiorari in the matter of The State vs. Royal D. Williams, III, Appellate Case No.2024-000838, a Florence County direct appeal matter now pending before the South Carolina Supreme Court on October 30, 2024;

3. Counsel filed the Return and Memorandum of Law in the matter of Matthew C. Dwyer vs. Warden of Broad River Correctional Institution, C/A No. 5:24-cv-3036-SAL-KDW on October 24, 2024;

4. Counsel filed the Respondent's Response in Opposition to Petitioner's Motion for Leave to File [ECF #77] in the matter of Earnest Vaughn vs. Warden Turbeville Correctional Institution, C/A No. 6:23-04220-JDA on October 29, 2024;

5. Counsel also filed the Respondent's Response to Motion to Compel [ECF #24] in the matter of Arthur Quintin Jones, Jr. vs. Warden Evans Correctional Institution, C/A No. 6:24-04191-JFA-KFM on November 1, 2024;

6. Counsel filed the Respondent's Reply to Objections to Report and Recommendation [ECF #34] in the matter of David Andrew Bowers vs. Warden William Langdon, III, C/A No. 0:24-287-JD-PJG on November 4, 2024;

7. Counsel appeared for oral argument in the matter of The State vs. Andre Covington, Jr., Appellate Case No. 2022-000831, a Chesterfield County murder appeal now pending before the South Carolina Court of Appeals on Tuesday, November 5, 2024;

8. Counsel filed the Respondent's Response in Opposition to Petitioner's Motions [ECF #s 25 & 26] in the matter of Arthur Quintin Jones, Jr. vs. Warden Evans Correctional Institution, C/A No. 6:24-04191-JFA-KFM on November 12, 2024;

9. Counsel is currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Kevin C. Casey vs. Warden of Tyger River, C/A No. 9:24-03653-JFA-MHC. Same will be filed today, November 15, 2024; and

10. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for the following extraordinary circumstances, 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 on December 18, 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

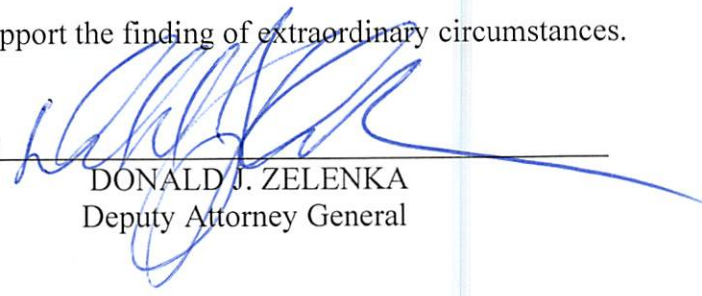
W. JOSEPH MAYE
Assistant Attorney General
S.C. Bar No. 100851

Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211-1549
(803) 734-6305

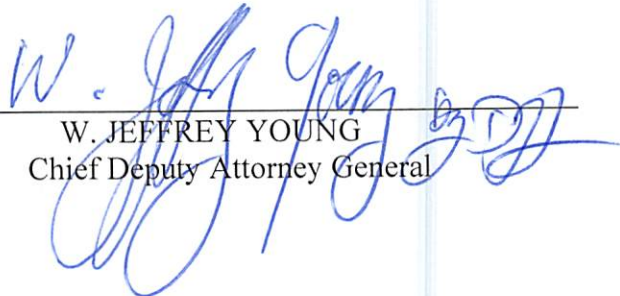
November 15, 2024.

By: s/W. Joseph Maye
W. JOSEPH MAYE
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

RECEIVED

Nov 15 2024

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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

THE STATE,

RESPONDENT,

v.

WILLISTON L. OWENS,

APPELLANT.

Appellate Case No. 2023-000593

PROOF OF SERVICE

I, **Donna D'Alessio**, an employee of the Respondent and legal assistant to W. Joseph Maye, 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, Jessica Saxon, Esq., via email today, November 15, 2024 to jsaxon@sccid.sc.gov and to her assistant at slevertt@sccid.sc.gov.

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

This 15th day of November, 2024.

s/ Donna D'Alessio
Donna D'Alessio, Legal Assistant to
W. Joseph Maye,
Assistant Attorney General
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211-1549
(803) 734-6305