

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Horry County
The Honorable William H. Seals, Circuit Court Judge

THE STATE,

Respondent,

MICAH PRESSLEY,

Appellant.

v.

Appellate Case No. 2023-001799

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

Respondent, the State, moves this Court for an additional thirty (30) day extension of time in which to file the Initial Brief of Respondent and Designation of Matter, which is currently due to be filed January 3, 2025. Opposing Counsel has graciously consented to all extensions through January 30, 2025. In support of this motion, counsel would show:

1. Counsel completed and filed the Return and Memorandum in Support of Summary Judgment on **December 2, 2024**, in the matter of Timothy James Wright v. Warden of Ridgeland Correctional Institution, C/A 8:24-cv-03557-BHH-WSB a matter pending in the District Court;

2. Counsel prepared for and attended a hearing on Motion for Release Pending Review of Decision Ordering Release on **December 9, 2024**, in Spartanburg County in the

matter of K. C. Langford v. Donnie Stonebreaker, Jr., Warden, Evans Correctional Institution, C/A No. 9:20-cv-01298-DCC, a matter pending in the District Court;

3. Counsel prepared and filed the Final Brief of Respondent on **December 13, 2024**, in the matter of The State v. Braylon Morris, Appellate Case No. 2023-000608, a matter pending in this Court;

4. Counsel participated in a Status Conference with Judge Kristi Curtis via Zoom on **December 17, 2024**, in the capital case of The State v. Timothy Ray Jones, Jr., Appellate Case No. 2019-001008, a matter pending in this Court;

5. Counsel prepared and filed the Return to Petition for Writ of Certiorari on **December 17, 2024** in the matter of The State v. Xzavier Sharif Davis, Appellate Case No. 2024-001773, a matter pending in the South Carolina Supreme Court;

6. Counsel filed the Final Brief of Respondent on **December 19, 2024**, in the matter of The State v. Genari McNeil, Appellate Case No. 2023-000591, a matter pending in this Court;

7. Counsel filed the Final Brief of Respondent on **December 20, 2024**, in the matter of The State v. Marvin Donte Bryan, Appellate Case No. 2017-001468, a matter pending in this Court;

8. Counsel is working on the Return and Memorandum in Support of Motion for Summary Judgment in the matter of Jerry L. Franklin, Jr. vs. Warden John Palmer, C/A No. 1:24-cv-4773-JD-SVH due today **January 2, 2025**;

9. Counsel is working on the Initial Brief and Designation of Matter in the case of The State v. Travontae J. Mitchell, Appellate Case No. 2023-001323, due **January 3, 2025**, with no more extensions;

10. Counsel is working on the Initial Brief and Designation of Matter in the case of The State v. Che Leon Ransom, Jr., Appellate Case No. 2023-001348, due **January 3, 2025**, with no more extensions.

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

This is the third request for an extension in which to file the Initial Brief and Designation of Matter. This request is not made for the purposes of delay but in because of the foregoing.

WHEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the Initial Brief of Respondent and Designation of Matter.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

TOMMY EVANS, JR.
Assistant Attorney General

By: Tommy Evans, Jr.
TOMMY EVANS, JR.
No. 7448
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
(803) 734-6305

January 2, 2025

ATTORNEY FOR RESPONDENT

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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SC Court of Appeals

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Appeal from Horry County
The Honorable William H. Seals, Circuit Court Judge

THE STATE,

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PROOF OF SERVICE

I, Tommy Evans, Jr., hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Third Extension to file the Initial Brief of Respondent, Designation of Matter, and Proof of Service have been forwarded to Appellant's counsel, Kathrine Hudgins, via email today, January 2, 2025 to KHudgins@sccid.sc.gov, and to her assistant, Chris Stock to CStock@sccid.sc.gov.

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

This is the 2nd day of January 2025

s/Tommy Evans, Jr.

Tommy Evans, Jr.

S.C. Bar No. 12990

Post Office Box 11549

Columbia, South Carolina 29211

ATTORNEY FOR RESPONDENT

Brandy Rankin

From: Brandy Rankin
Sent: Thursday, January 2, 2025 10:38 AM
To: Hudgins, Kathrine
Cc: Stock, Chris; Tommy Evans, Jr.
Subject: The State v. Micah Pressley - Third Extension to file Initial Brief of Respondent & Designation of Matter - Appellate Case No. 2023-001799
Attachments: Executed-Signed Third Extension to file IBOR&DOM - Pressley.pdf

Dear Ms. Hudgins,

Please find attached the Respondent's third extension request to file the Initial Brief and Designation of Matter and Proof of Service in the above captioned case. These documents will be filed with the South Carolina Court of Appeals today, January 2, 2025, along with a copy of this email. Happy New Year!

Sincerely,
Brandy Rankin

Brandy Rankin, Legal Assistant to Tommy Evans, Jr.
Office of the Attorney General
Post Office Box 11549
Columbia, South Carolina 29211
803-734-6305



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