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Jan 03 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal From Charleston County  
The Honorable David P. Caraker, Jr., Circuit Court Judge

Appellate Case No: 2024-001615

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THE STATE,

Appellant,

vs.

ELISABETH ANNE GERMAIN,

Respondent.

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**MOTION FOR THIRD EXTENSION OF TIME WITHIN WHICH TO SERVE AND FILE  
THE INITIAL BRIEF OF APPELLANT AND DESIGNATION OF MATTER**

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

I.

The Initial Brief of Appellant and Designation of Matter are due to the Court today, pursuant to two 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 Appellant moves for a third extension in the above referenced appeal. Due to work required in other cases pending before this Court, the undersigned counsel is unable to complete this Brief on time. Since the last extension was granted in this matter, the undersigned counsel has filed an Initial Brief of Respondent and Designation of Matter in the South Carolina Court of Appeals in

The State v. Frank L. Mills, Jr. (2023-001273) and has filed a Final Brief of Respondent in the Court of Appeal in The State v. Derrick Gerard Boyd (2023-000698). Counsel also intends to file an Initial Brief of Respondent and Designation of Matter in The State v. Kyle Nicholas Mouzon (2023-001755) on January 6, 2025. Counsel would therefore request an extension of time within which to serve and file the Initial Brief of Appellant and Designation of Matter.

III.

This extension request is not intended for purposes of delay, but rather to ensure that the Brief is properly researched and prepared.

WHEREFORE, Appellant prays that the Court extend the deadline for the service and filing of the Initial Brief of Appellant 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




AMBREE MULLER  
Assistant Attorney General  
S. C. Bar No: 104213

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

I have reviewed and approved this extension request.

ATTORNEYS FOR APPELLANT

By:



Mark R. Farthing  
Senior Assistant Deputy Attorney General

January 3, 2025

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**PROOF OF SERVICE**

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I, Grace Sommer, certify that I have served the Motion for Extension of Time on Jonathan S. Bischoff, II, Esquire, counsel of record for the Respondent, by sending one copy by electronic mail to the address listed for counsel in AIS.

I further certify that all parties required by Rule to be served have been served.  
This 3<sup>rd</sup> day of January 2025.



GRACE SOMMER  
Legal Assistant

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