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Feb 03 2025

SC Court of Appeals

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 FOURTH 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 today, February 3, 2025. Opposing Counsel has graciously consented to all extensions through February 28, 2025. In support of this motion, counsel would show the following extraordinary circumstances:

1. Counsel filed the Motion to Dismiss (with attachments) in the matter of Jerry L. Franklin, Jr. vs. Warden John Palmer, C/A No. 1:24-cv-4773-JD-SVH on **January 2, 2025**;
2. Counsel filed the Initial Brief and Designation of Matter in the case of The State v. Travontae J. Mitchell, Appellate Case No. 2023-001323, on **January 3, 2025**, a matter pending before this court;

3. Counsel filed the Initial Brief and Designation of Matter in the case of The State v. Che Leon Ransom, Jr., Appellate Case No. 2023-001348, on **January 3, 2025**, a matter pending in this court;
4. Counsel is working on the Appendix & Opening Brief in the matter of Donnie Stonebreaker v. K. C. Langford, 24-7118, a matter pending in the United States Court of Appeals for the Fourth Circuit due February 5, 2025;
5. Counsel is also working on the Initial Brief and Designation of Matter in the case of The State v. Rita M. Pangalangan, Appellate Case No. 2023-001446, due February 5, 2025, which is on fourth extension with no more extensions;
6. Counsel prepared for and attended PCR Hearings in Greenville, South Carolina on January 29, 2025; and
7. Counsel has been involved in working on other matters in state and federal court.

This is the fourth 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 extraordinary circumstances.

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.
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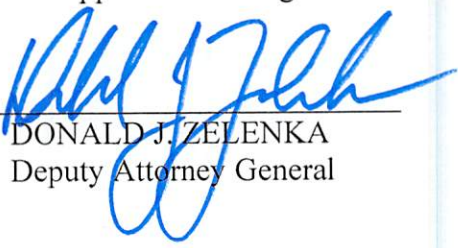
February 3, 2025.

ATTORNEY FOR RESPONDENT

I support the finding of extraordinary circumstances.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

I further support the finding of extraordinary circumstances.

By: 
DONALD J. ZELENKA
Deputy Attorney General

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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 Fourth Extension to file the Initial Brief of Respondent and Designation of Matter have been forwarded to Appellant's counsel, Kathrine Hudgins, via email today, February 3, 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 3rd day of February, 2025.

s/Tommy Evans, Jr.

Tommy Evans, Jr.

S.C. Bar No. 65282

Post Office Box 11549

Columbia, South Carolina 29211

ATTORNEY FOR RESPONDENT