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Mar 19 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Lexington County
The Honorable W. Greg Seigler, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

NAZARETH N SANCHEZ-PERALTA,

APPELLANT.

Appellate Case No. 2023-001588

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

The undersigned counsel would respectfully request a SECOND 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 March 31, 2025. 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, Thursday, March 20, 2025. The undersigned attorney has had a number of state, and federal matters to attend to since February 14, 2025. Specifically:

1. Counsel assisted in preparing the Response in Opposition to Motion for Stay of Execution before the South Carolina Supreme Court in Brad Keith Sigmon v. Bryan P. Stirling, Director of the South Carolina Department of Corrections, and the South Carolina Department of Corrections, Case No. 2025-000187;

2. Counsel assisted in preparing the Return to Petition for a Writ of Habeas Corpus before the South Carolina Supreme Court in Brad Keith Sigmon v. Bryan P. Stirling, Director of the South Carolina Department of Corrections, and the South Carolina Department of Corrections, Case No. 2025-000309;
3. Counsel filed the Reply to Petitioner's Response to the Motion for Summary Judgment, and for Holding Additional Motion in Abeyance [ECF #70] in the matter of Richard Allen Woodbury vs. Warden, Kershaw Correctional Institution, C/A No. 0:24-04530-MGL-PJG on February 28, 2025;
4. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Roemain Brunson, #351887 vs. Warden, Evans Correctional Institution, C/A No. 2:24-05441-JDA-MGB on March 10, 2025;
5. Counsel prepared for and presented oral argument on behalf of the State before the South Carolina Court of Appeals in the matter of The State vs. Barry Wayne Jones, Appellate Case No. 2022-000046, an Edgefield County direct appeal matter on March 11, 2025;
6. Counsel filed the Respondent's Reply to Response in Opposition to Motion for Summary Judgment in the matter of Richard Allen Woodbury vs. State of South Carolina, C/A No. 0:24-04530-MGL-PJG on March 17, 2025; and
7. Counsel for Respondent is currently preparing/reviewing the Initial Brief in this matter. Due to the records being in excess of 2,500 pages, counsel is requesting this extension; and
8. Counsel has been involved in working on other matters in state and federal court.

WHEREFORE, for the following circumstances, counsel respectfully requests a SECOND 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 April 21, 2025.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

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By: *s/R. Brandon Larrabee*
R. BRANDON LARRABEE
ATTORNEYS FOR RESPONDENT

March 19, 2025.

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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 Second Extension of Time to File Initial Brief of Respondent and Designation of Matter has been forwarded to Appellant's counsel, Gary Johnson, Esq., via email today, March 19, 2025 to ghjohnson@sccid.sc.gov and to his assistant at sleverett@sccid.sc.gov.

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

This 19th day of March, 2025.

s/ Donna D'Alessio

Donna D'Alessio, Legal Assistant to
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