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Mar 25 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Chesterfield County
The Honorable Paul M. Burch, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

MICHAEL LAMONT WATTS,

APPELLANT.

Appellate Case No. 2024-000461

**MOTION FOR LEAVE TO FILE FINAL BRIEF OF
RESPONDENT OUT OF TIME**

Respondent previously filed the Initial Brief of Respondent with this Court. The Final Brief of Respondent was due to be filed on March 6, 2025. Due to an administrative error, Respondent inadvertently missed the deadline to file the Final Brief of Respondent and seeks permission to file the same out of time for the following reasons:

1. The deadline to file the Final Brief of Respondent was inadvertently not calendared and overlooked due to an administrative error. Respondent's legal assistant did not receive the Record on Appeal from Respondent's counsel by mistake, because Respondent's counsel received the Record on Appeal directly from private counsel of Appellant, rather than Appellate Defense and failed to forward the same to his legal assistant inadvertently.
2. Undersigned counsel, has consulted with opposing counsel, Elizabeth Franklin-Best, Esq. who graciously consents to this Motion and late filing of the Final Brief of Respondent.
3. Respondent has prepared the Final Brief of Respondent and is conditionally filing

same with this motion for acceptance and filing if this Court grants this motion.

WHEREFORE, based on the foregoing, Respondent respectfully requests this Court grant this motion to file the Final Brief of Respondent out of time, and accept the attached copy of the Final Brief of Respondent for filing.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

J. ANTHONY MABRY
Senior Assistant Attorney General
State I.D. No. 11973

By: *s/ J. Anthony Mabry*
J. ANTHONY MABRY

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Columbia, South Carolina 29211
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ATTORNEYS FOR RESPONDENTS

March 25, 2025.

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PROOF OF SERVICE

I, **Donna D'Alessio**, an employee of the Respondent and legal assistant to J. Anthony Mabry, of counsel for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Leave to File the Final Brief of Respondent Out of Time, has been forwarded to Appellant's counsel, Elizabeth A. Franklin-Best, Esq., via email today, March 25, 2025 to elizabeth@franklinbestlaw.com

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

This 25th day of March, 2025.

s/ Donna D'Alessio

Donna D'Alessio, Legal Assistant to
J. Anthony Mabry,
Senior Assistant Attorney General
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