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S.C. SUPREME COURT

STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Colleton County
Honorable Clifton Newman, Circuit Court Judge
Honorable Jean H. Toal, Retired Chief Justice
Appellate Case No. 2023-000392

THE STATE,

Respondent,

vs.

RICHARD ALEXANDER MURDAUGH,

Appellant.

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

Respondent (“the State”), through its undersigned counsel, would respectfully show unto the Court as follows:

I.

Appellant Richard Alexander Murdaugh’s consolidated criminal appeal is currently pending before this Court following certification pursuant to Rule 204(b) of the South Carolina Appellate Court Rules. At present, the Initial Brief of Respondent and Designation of Matter are due to be served and filed on April 10, 2025.

II.

Before this case was certified and consolidated, Appellant asked for and received separate extensions of time to file his Initial Brief of Appellant and Designation of Matter of 90 days and 120 days. Those extensions were granted by the Court of Appeals, which resulted in

his appellate brief being due on December 10, 2024. Ultimately, after certifying and consolidating the matter, this Court—at Appellant’s request—likewise extended the time for the filing of the Initial Brief of Appellant and Designation of Matter to December 10, 2024.

III.

On December 10, 2024, Appellant filed his Initial Brief of Appellant and Designation of Matter along with a motion seeking to exceed the page limits that was submitted with the State’s consent. Appellant’s brief is 121 pages in length, and, through it, Appellant has raised nine identified issues.

IV.

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 State moves for a second extension in the above-referenced criminal appeal and asks for an additional 120 days to complete its Brief. The State’s current request follows a previous extension request for an additional 90 days, which was granted by this Court.

V.

The undersigned attorneys for the State submit this extension request is supported by extraordinary circumstances and is not intended for purposes of delay. As previously noted, Appellant’s brief in the above-referenced case is over 100 pages long and raises numerous issues, including issues concerning allegations of jury tampering and the improper admission of evidence. The undersigned attorneys are currently working on the State’s Brief in this case and intend to have it finished in a timely manner. However, the undersigned attorneys have not yet been able to finish the Brief due to the extraordinary circumstances involved in this case, which resulted in an almost-6000-page-long trial transcript, multiple transcripts from other hearings, and numerous recordings and other exhibits requiring review. Accordingly, for those reasons

coupled with the undersigned attorneys' heavy workloads, the State would respectfully request an additional 120-day extension of time within which to serve and file its Brief in order to ensure it is properly researched and prepared. If granted, the State's request will result in a new due date for the Initial Brief of Respondent and Designation of Matter of August 8, 2025.

WHEREFORE, Respondent prays that the Court extend the deadline for the service and filing of the Initial Brief of Respondent and Designation of Matter in this case for 120 days to August 8, 2025; hold the matter in abeyance pending a ruling on Respondent's motion; and grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

By: 

Donald J. Zelenka
S.C. Bar Number 5758

MARK R. FARTHING
Senior Assistant Deputy Attorney General

By: 

Mark R. Farthing
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I have reviewed and approved this extension request.

By: 

W. Jeffrey Young
Chief Deputy Attorney General

April 3, 2025