

RECEIVED

May 05 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Spartanburg County  
The Honorable R. Keith Kelly, Circuit Court Judge  
Appellate Case No. 2024-001359

---

THE STATE,

Respondent,

vs.

HERBERT BRUCE GADDY,

Appellant.

---

**MOTION FOR THIRD 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.**

The Initial Brief of Respondent and Designation of Matter are due to be served and filed on May 5, 2025.

**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 State moves for a **third** extension in the above-referenced criminal appeal and asks for an additional thirty days to complete the brief in this case. In the past several weeks, the undersigned counsel has filed an Initial Brief of Respondent in The State v. Timothy Herndon

(2023-001834), a Brief of Respondent in Derrick Miller v. State (2023-000470), A Final Brief of Respondent in The State v. William Oswald (2023-001872), The State v. Stacy Rabon, and The State v. Phillip Miller; and participated in an oral argument in the Court of Appeals in The State v. Matthew Young (2022-00218).

The undersigned counsel is currently working on the Brief in this case and intends to have it finished in a timely manner. However, the undersigned counsel has not yet been able to finish the Brief due to a heavy workload. Accordingly, in order to ensure the Brief is properly researched and prepared, I would therefore request an additional extension of time within which to serve and file the Brief.


**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 thirty days from the date such relief is granted; 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

JOSHUA A. EDWARDS  
Assistant Attorney General

By: \_\_\_\_\_

  
Joshua A. Edwards  
S.C. Bar Number 101188

I have reviewed and approved this extension request.

By: \_\_\_\_\_

  
Mark R. Farthing  
Senior Assistant Deputy Attorney General

May 5, 2025

**RECEIVED**

**May 05 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Spartanburg County  
The Honorable R. Keith Kelly, Circuit Court Judge  
Appellate Case No. 2024-001359

---

THE STATE,

Respondent,

vs.

HERBERT BRUCE GADDY,

Appellant.

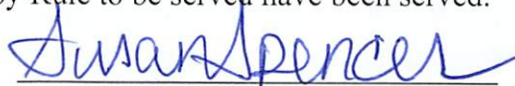
---

**PROOF OF SERVICE**

---

I, Susan Spencer, certify I have served the within Motion for Third Extension of Time Within Which to Serve and File Initial Brief of Respondent and Designation of Matter on Appellant by sending an electronic copy via email to William G. Yarborough, III, Esquire and Lauren C. Hobbis, Esquire, to the address listed for counsel in AIS.

I further certify all parties required by Rule to be served have been served.  
This 5<sup>th</sup> day of May, 2025.



SUSAN SPENCER

Legal Assistant

Office of the Attorney General