

RECEIVED

May 20 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Lexington County  
The Honorable Debra R. McCaslin, Circuit Court Judge

---

THE STATE,

RESPONDENT,

v.

NAZARETH N. SANCHEZ-PERALTA,

APPELLANT.

Appellate Case No. 2023-001588

---

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

---

The undersigned counsel would respectfully request a FOURTH 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 May 31, 2025. In support of this motion, counsel would respectfully show the Court the following extraordinary circumstances:

Respondent's Initial Brief and Designation of Matter is due to be filed tomorrow, Wednesday, May 21, 2025. The undersigned attorney has had a number of state, and federal matters to attend to since April 18, 2025. Specifically:

1. Counsel filed the Reply to Response in Opposition to Motion for Summary Judgment, as well as the Respondent's Motion to Amend the Return and Memorandum of Law in the matter of Trevin Milledge vs. Warden Laverne Cohen, C/A No. 8:24-05201-MGL-WSB on April 23, 2025;

2. Counsel filed the Respondent's Motion to Amend Post-Hearing Brief in the capital Sumter County Post-Conviction Relief matter of Bobby Wayne Stone vs. State of South Carolina, Case No. 2018-CP-43-1025 on April 29, 2025;
3. Counsel filed the Response to Petitioner's Motion for Issuance of Show Cause Order [ECF #26] in the matter of Jerel Marquis Heriot vs. Lashawn Peeples, C/A No. 1:24-7237-SAL-SVH on April 30, 2025;
4. Counsel filed the Respondent's Motion to Strike Certain Attachments in the matter of Jerel Marquis Heriot vs. Lashawn Peeples, C/A No. 1:24-7237-SAL-SVH on May 5, 2025;
5. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Jerel Marquis Heriot vs. Lashawn Peeples, C/A No. 1:24-7237-SAL-SVH on May 5, 2025;
6. Counsel filed the Respondent's Reply to Petitioner's Objections to Report and Recommendation [ECF #87], as well as to Supplements [ECF #s 88 & 89] in the matter of Richard Allen Woodbury vs. State of South Carolina, C/A No. 0:24-04530-MGL on May 8, 2025;
7. Counsel filed the Initial Brief of Respondent in the matter of The State vs. Thomas Eric McDowell, Appellate Case No. 2024-00226, a Lexington County direct appeal matter now pending in the South Carolina Court of Appeals on May 14, 2025;
8. Respondent filed a Reply to Response in Opposition to Motion for Summary Judgment [ECF #29] in the matter of Jamal Hakeem vs. Warden of Turbeville Correctional Institution, C/A No. 1:24-6658-CMC-SVH on May 15, 2025;
9. Counsel also filed a Reply to Response in Opposition to Motion for Summary Judgment [ECF #40] in the matter of Trevin Milledge vs. Warden Laverne Cohen, C/A No. 8:24-05201-MGL-WSB on May 19, 2025;
10. Counsel is currently preparing the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Theodore J. Bolick vs. Donnie Stonebreaker, C/A No. 5:24-cv-7662-MGL-KDW. Same is due to be filed on Friday, May 23, 2025;
11. Counsel is also currently preparing the Initial Brief of Respondent in this matter; and
12. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for the following extraordinary circumstances, counsel respectfully requests a FOURTH 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 June 20, 2025.

Respectfully Submitted,

ALAN WILSON  
Attorney General

DONALD J. ZELENKA  
Deputy Attorney General

MELODY J. BROWN  
Senior Assistant Deputy Attorney General

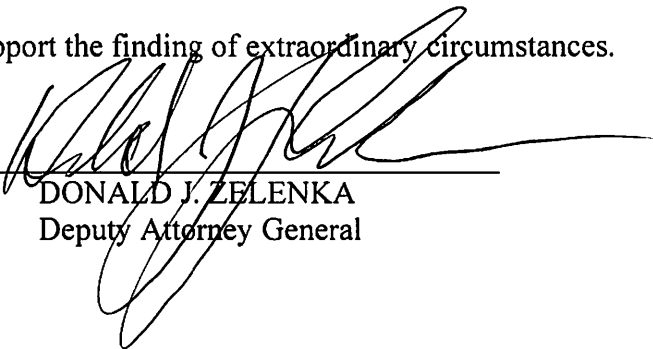
R. BRANDON LARRABEE  
Assistant Attorney General  
S.C. Bar No. 104865

Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211-1549  
(803) 734-6305

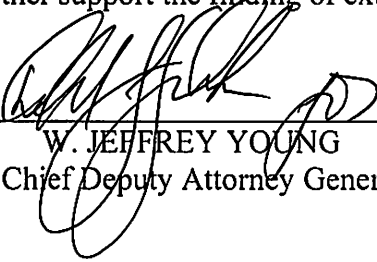
By: s/R. Brandon Larrabee  
R. BRANDON LARRABEE  
ATTORNEYS FOR RESPONDENT

May 20, 2025.

I support the finding of extraordinary circumstances.

By:   
DONALD J. ZELENKA  
Deputy Attorney General

I further support the finding of extraordinary circumstances.

By:  \_\_\_\_\_  
W. JEFFREY YOUNG  
Chief Deputy Attorney General

RECEIVED

May 20 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Lexington County  
The Honorable Debra R. McCaslin, Circuit Court Judge

---

THE STATE,

RESPONDENT,

v.

NAZARETH N. SANCHEZ-PERALTA,

APPELLANT.

Appellate Case No. 2023-001588

---

**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 Fourth 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, May 20, 2025 to [ghjohnson@sccid.sc.gov](mailto:ghjohnson@sccid.sc.gov) and to his assistant at [sleverett@sccid.sc.gov](mailto:sleverett@sccid.sc.gov).

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

This 20<sup>th</sup> day of May, 2025.

*s/ Donna D'Alessio*

---

Donna D'Alessio, Legal Assistant to  
R. Brandon Larrabee,  
Assistant Attorney General  
Office of the Attorney General  
Post Office Box 11549  
Columbia, South Carolina 29211-1549  
(803) 734-6305