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May 27 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
In the Court of Appeals

Appeal from Bamberg County
The Honorable Courtney Clyburn-Pope, Circuit Court Judge

THE STATE,

Respondent,

v.

DEAN TROY STEVENS,

Appellant.

Appellate Case No. 2024-000648

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

The undersigned counsel would respectfully request a thirty (30) day extension in which to file the Initial Brief of Respondent in the above-referenced case. Opposing counsel has graciously consented to extension requests through May 31, 2025. This is a 2nd extension request. In support of this motion, counsel would respectfully show the Court the following circumstances:

Respondent's Initial Brief is due tomorrow, Wednesday, May 28, 2025. The undersigned attorney has had a number of state and federal matters to attend since April 25, 2025 and has been unable to complete this brief. Specifically,

1. Counsel filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Matthew Tyler Blackwell vs. Warden of Lee Correctional

Institution, C/A No. 1:24-7307-RMG-SVH, (Federal Habeas Corpus)[Murder, Attempted Murder (2 counts), & Trafficking in Meth) on **May 2, 2025**;

2. Counsel prepared for and appeared for oral argument in the South Carolina Court of Appeals in the matter of The State vs. James Monroe Brown, Appellate Case No. 2021-000469 on **Tuesday, May 6, 2025**;

3. Respondent filed the Return and Memorandum of Law in Support of Motion for Summary Judgment in the matter of Jerry Simpson vs. Warden of Trenton Correctional Institution, C/A No. 5:24-cv-6946-JFA-KDW on **May 14, 2025**;

4. Counsel filed the Respondent's Reply to Objections to Report and Recommendation [ECF #44] in the matter of Filberto Campos vs. Warden Shane Jackson, C/A No. 8:24-03510-JD-WSB on **May 14, 2025**;

5. Counsel filed the Respondent's Reply to Response to Motion for Summary Judgment [ECF #26] in the matter of Rajshun Bernard Foster vs. Curtis Earley as Warden of Perry Correctional Institution, C/A No. 5:24-7113-RMG-KDW on **May 21, 2025**;

6. Counsel prepared and filed the Brief of Petitioner in the matter of The State vs. Kierin Marcellus Dennis, Appellate Case No. 2024-002019, a Lexington County direct appeal matter now pending before the South Carolina Supreme Court after grant of certiorari on **May 22, 2025**;

7. Counsel for Respondent is also currently preparing the Initial Brief in the matter of The State vs. Algernard D. Young, Appellate Case No. 2023-000994, a Charleston County direct appeal matter now pending in the South Carolina Court of Appeals. Counsel has requested 2 exhibits from the Solicitor's Office to complete the initial brief of Respondent, which are 2 911

calls that are part of the subject of the issue raised on appeal. Same is to be filed on Monday, **June 2, 2025**; and

8. Counsel has been involved in working **on other matters in state and federal court.**

WHEREFORE, for good cause, counsel respectfully requests a 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 is a 2nd extension request and will make the Respondent's Initial Brief due on June 27, 2025.

Respectfully Submitted,

ALAN WILSON
Attorney General

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

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By: s/J. Anthony Mabry
J. ANTHONY MABRY
ATTORNEYS FOR RESPONDENT

May 27, 2025.

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PROOF OF SERVICE

I, **J. Anthony Mabry**, attorney for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for Second Extension of Time to File the Initial Brief of Respondent and Designation of Matter, have been forwarded to Appellant's counsel, Kathrine H. Hudgins, Esq. and to her assistant via email today, May 27, 2025 to khudgins@sccid.sc.gov and to cstock@sccid.sc.gov.

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

This 27th day of May, 2025.

s/J. Anthony Mabry
J. ANTHONY MABRY
Senior Assistant Attorney General