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Jun 03 2025
SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Beaufort County
The Honorable Brooks Goldsmith, Circuit Court Judge

THE STATE,

RESPONDENT,

v.

STEPHEN QUINTON POLITE,

APPELLANT.

Appellate Case No. 2024-000692

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

Respondent, the State, moves this Court for an additional thirty (30) day extension of time up to and including July 7, 2025, in which to file the Initial Brief of Respondent and Designation of Matter. The Initial Brief and Designation of Matter is currently due to be filed tomorrow, June 4, 2025. Opposing Counsel has graciously consented to this extension request. This is Respondent's third request for an extension of time in which to file the Brief. In support of the request, undersigned counsel for Respondent would respectfully show unto the Court the following circumstances:

1. 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;

2. 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;

3. 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;

4. 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;

5. 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;

6. 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;

7. Counsel filed 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 on May 23, 2025;

8. Counsel filed the Respondent's Amended Return and Memorandum of Law in Support of Motion for Summary Judgment as per Text Order ECF #44 in the matter of Trevin Milledge vs. Warden Lavern Cohen, C/A No. 8:24-05201-MGL-WSB on May 30, 2025;

9. Counsel is also currently preparing the Initial Brief of Respondent in the Lexington County direct appeal matter of The State vs. Nazareth N. Sanchez-Peralta, Appellate Case No. 2023-001588.; and

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

Thus, counsel respectfully requests a thirty (30) day extension of time to allow counsel to complete the Initial Brief of Respondent. This is Respondent's third request for additional time to do so.

WHEREFORE, undersigned counsel for Respondent respectfully requests an additional extension of thirty (30) days to complete the Initial Brief of Respondent in this matter.

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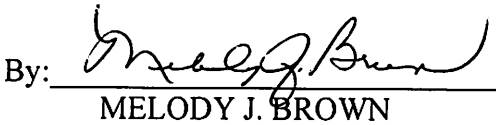
By: *s/ R. Brandon Larrabee*
R. BRANDON LARRABEE
ATTORNEYS FOR RESPONDENT

June 3, 2025.

I support the finding of good cause.

By: 
MELODY J. BROWN
Senior Assistant Deputy Attorney General

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PROOF OF SERVICE

I, **R. Brandon Larrabee**, attorney for the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Motion for a Third Extension of Time to File Initial Brief of Respondent and Designation of Matter, have been forwarded to Appellant's counsel, Jack B. Swerling, Esq. via email today, June 3, 2025 to jackswerling@gmail.com.

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

This 3rd day of June, 2025.

s/R. Brandon Larrabee
R/ BRANDON LARRABEE
Assistant Attorney General